



CITY COUNCIL/SUCCESSOR AGENCY TO THE COVINA
REDEVELOPMENT AGENCY/COVINA PUBLIC FINANCING
AUTHORITY/COVINA HOUSING AUTHORITY JOINT MEETING
AGENDA

Tuesday, May 2, 2023, 7:30 p.m.
125 E. College Street, Covina, California
Council Chamber of City Hall

IMPORTANT NOTICE

Members of the public may view the meeting live on the City's website at www.covinaca.gov or on local cable television, Spectrum channel 29 and Frontier Channel 42. To view from the website, hover over the Departments & Services tab until the drop-down menu appears and click on City Council Video Library under the City Council header. A live banner will appear at the start of the meeting.

Public Comments: During the meeting, there will be an opportunity for the public to speak. Public testimony is limited to five (5) minutes per speaker, unless, for good cause, the Mayor/Chairperson amends the time limit; a speaker's time may not be transferred to another speaker. State Law prohibits the Council/Agency/Authority Members from taking action on any item not on the agenda. Those wishing to speak on a LISTED AGENDA ITEM will be heard when that item is addressed.

In Person: To address the Council/Agency/Authority please complete a yellow speaker request card located at the entrance of the Council Chamber and give it to the City Clerk. Your name will be called when it is your turn to speak.

Remotely via Zoom: Access the meeting remotely via Zoom with one of the following devices: Computer or Smart Device:

<https://us02web.zoom.us/j/89993614755?pwd=QXd4Nzh4MnZsdGhGUVB1ZTRhd3k4Zz09>

*Telephone:
Dial: +1 669 900 6833
Meeting ID: 899 9361 4755
Passcode: 255915*

- 1. To request to speak during public comment, please click the "Raise Hand" button on the Zoom toolbar "Reactions" tab.*

Note:

Computer / Smart Device Users: The "raise hand" feature is in the reactions tab.

Telephone Users: Press star-nine (*9) on your phone to raise your hand.

2. Staff will announce your name as listed on Zoom or the last four digits of your phone number when it is your turn to speak and unmute the microphone (audio only); speaker must be present when called to speak.
3. Please state your first and last name and city of residence at the beginning of your remarks for the record.
4. The microphone will be muted by staff when you have completed your comments or five (5) minutes have expired, whichever occurs first.

Meeting Assistance Information: In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office at cityclerk@covinaca.gov or 626-384-5430. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Pages

CLOSED SESSION

1. **CLOSED SESSION - WILL NOT BE HELD**

JOINT MEETING—OPEN SESSION 7:30 PM

2. **CALL TO ORDER**

Council/Agency/Authority Members: Patricia Cortez, Hector Delgado, Victor Linares, Mayor Pro Tem/ViceChair John C. King, and Mayor/Chair Walter Allen, III

3. **ROLL CALL**

4. **PLEDGE OF ALLEGIANCE**

Led by Mayor Allen

5. **INVOCATION**

Given by David Truax

6. **PRESENTATIONS**

6.a. **Municipal Clerk's Week**

7. **PUBLIC COMMENTS**

To address the Council/Agency/Authority please complete a yellow speaker request card located at the entrance and give it to the City Clerk. Your name will be called when it is your turn to speak. Those wishing to speak on a LISTED AGENDA ITEM will be heard when that item is addressed. Those wishing to speak on an item NOT ON THE AGENDA will be heard at this time. State Law prohibits the Council/Agency/Authority Members from taking action on any item not on the agenda. Individual speakers are limited to five minutes each, unless, for good cause, the Mayor/Chairperson amends the time limit.

8. **COUNCIL/AGENCY/AUTHORITY COMMENTS**

Council/Agency/Authority Members wishing to make any announcements of public interest or to request that specific items be added to future Council/Agency/Authority agendas may do so at this time.

9. **CITY MANAGER COMMENTS**

10. CONSENT CALENDAR

All matters listed under consent calendar are considered routine, and will be enacted by one motion. There will be no separate discussion on these items prior to the time the Council/Agency/Authority votes on them, unless a member of the Council/Agency/Authority requests a specific item be removed from the consent calendar for discussion.

- | | |
|--|----|
| 10.a. Minutes | 7 |
| <p>Staff Recommendation:
Approve the Minutes of the April 18, 2023, Regular Meeting of the City Council/Successor Agency to the Covina Redevelopment Agency/Covina Public Financing Authority/Housing Authority.</p> | |
| 10.b. Payment of Demands | 17 |
| <p>Staff Recommendation:
Approve Payment of Demands in the amount of \$3,571,291.27.</p> | |
| 10.c. AB 481 Annual Report | 25 |
| <p>Staff Recommendation:
Review and approve AB481 Annual Report.</p> | |
| 10.d. Approval of Fiscal Year 2024 Water Supply Strategy and Authorization to Execute all Requisite Documents | 51 |
| <p>Staff Recommendation:</p> <ol style="list-style-type: none">1. Approve the Fiscal Year 2024 water supply strategy outlined in this report;2. Authorize the City Manager to execute a Temporary Assignment or Lease of Water Right Form to assign 359.69 acre feet of Water Production Rights from the City to the Covina Irrigating Company for FY 2024;3. Authorize the City to solicit and lease up to 450 shares of Covina Irrigating Company stock for Fiscal Year 2024, and execute a Lease Agreement and an Order for Delivery with interested shareholders; and4. Authorize the City to participate in the Fiscal Year 2024 Covina Irrigating Company lease pool to the level needed to enable the City to achieve its water supply target. | |
| 10.e. Resolution CC 2023-34 Adopting the North Barranca Avenue Rehabilitation Project and the East Cienega Avenue Rehabilitation Project as the City of Covina's Fiscal Year 2024 Senate Bill 1 (SB 1) Projects | 61 |
| <p>Staff Recommendation:
Adopt Resolution CC 2023-34 adopting the North Barranca Avenue Rehabilitation Project and the East Cienega Avenue Rehabilitation Project as the City of Covina's Fiscal Year 2024 Senate Bill 1 (SB 1) Projects and reserving all FY 2023-2024 RMRA funds for project construction costs.</p> | |
| 10.f. Adopt Joint Tax Sharing Resolution Approving and Accepting Negotiated Exchange of Property Tax Revenues Resulting from Annexation of Specific Property Located at 547 S. Rancho del Monico into Los Angeles County Sanitation District No. 22 | 67 |

Staff Recommendation:

Adopt the joint tax sharing resolution, City Council Resolution CC 2023-33 approving and accepting the negotiated exchange of property tax revenues resulting from the annexation of a specific property located at 547 S. Rancho del Monico into Los Angeles County Sanitation District No. 22.

10.g. Adoption of Ordinance 23-03

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Staff Recommendation:

That the City Council adopt Ordinance 23-03, entitled “An Ordinance of the City Council of the City of Covina, California, Approving Planned Community Development Modification (PCDM) 22-01 as Modified and Amending the Covina Townhomes Planned Community Development (PCD) 77-002 District Overlay Zone by Modifying Condition of Approval No. 4 and Adding Numbers 12 and 13 Under Section 3 of Ordinance No. 1374, and Making a Finding of Exemption Under the California Environmental Quality Act (CEQA) Guidelines”.

10.h. Adopt Ordinance 23-02 and Making a Determination of Exemption from the California Environmental Quality Act

85

Staff Recommendation:

Adopt Ordinance 23-02 entitled, “An Ordinance of the City Council of the City of Covina, California, to establish regulations to implement two-unit residential developments and urban lot splits in single family zones as required by Senate Bill 9 (2021-2022), by approving Zoning Code Amendment (ZCA) 23-01 to amend Title 17 (Zoning) by modifying definition section 17.04.143, single-family residential zones sections 17.08.020 (A-1), 17.10.020 (A-2), 17.12.020 (E-½), 17.14.020 (E-1), 17.20.020 (R-1-20,000), 17.22.020 (R-1-10,000), 17.24.020 (R-1-8,500) and 17.26.020 (R-1-7500) for permitted uses, and adding a new section 17.33.060 for permitted uses; and approving Municipal Code Amendment to amend Title 16 (Subdivision) by modifying Chapter 16.02, 16.04, 16.14, and adding new section 16.06, and making a determination of exemption from the California Environmental Quality Act”.

10.i. Amendment No. 2 to Professional Services Agreement between the City of Covina and Liebert Cassidy Whitmore for Legal Services

107

Staff Recommendation:

Approve Amendment No. 2 to the agreement between Liebert Cassidy Whitmore and the City of Covina for legal services and authorize the City Manager to execute the amendment.

10.j. Approval of a Third Amendment to Agreement between the City of Covina and Glendora Employment Agency, Inc.

113

Staff Recommendation:

Authorize the City Manager to execute the Third Amendment to the Professional Service Agreement with Glendora Employment Agency, Inc. to provide temporary staffing services.

11. NEW BUSINESS

11.a. Proposed Fiscal Year 2023-34 Capital Improvement Program Budget

119

Staff Recommendation:

That the City Council receive/file the proposed project list and provide

direction, as necessary.

12. ADJOURNMENT

The Covina City Council/Successor Agency to the Covina Redevelopment Agency/Covina Public Financing Authority/Covina Housing Authority will adjourn to its next regular meeting of the Council/Agency/Authority scheduled for May 16, 2023, at 6:30 p.m. for closed session and at 7:30 p.m. for open session inside the Council Chamber at City Hall, located at 125 East College Street, Covina, California, 91723.



**CITY COUNCIL/SUCCESSOR AGENCY TO THE COVINA REDEVELOPMENT
AGENCY/COVINA PUBLIC FINANCING AUTHORITY/COVINA HOUSING
AUTHORITY JOINT MEETING**

MINUTES

April 18, 2023, 7:30 p.m.
125 E. College Street, Covina, California
Council Chamber of City Hall

Councilmembers Present: Councilmember Hector Delgado
Mayor Pro Tem/Vice Chair John C. King
Councilmember Victor Linares
Mayor/Chair Walter Allen, III
Councilmember Patricia Cortez

Staff Present: City Clerk Drew Aleman (Elected Member)
City Treasurer Neil Polzin (Elected Member)
City Manager Chris Marcarello
City Attorney Candice K. Lee
Police Chief David Povero
Administrative Services Director Anita Agramonte
Community Development Director Brian Lee
Public Works Director Andy Bullington
Deputy City Manager Angel Carrillo
Deputy City Clerk Fabian Velez
Interim Chief Deputy City Clerk Evelyn Leach

1. CLOSED SESSION - WAS NOT HELD

JOINT MEETING—OPEN SESSION 7:30 PM

2. CALL TO ORDER

Mayor Allen called the meeting to order at 7:30 p.m.

3. ROLL CALL

All members were present.

4. PLEDGE OF ALLEGIANCE

Led by Councilmember Cortez

5. INVOCATION

Given by Police Chaplain David Truax.

6. PRESENTATIONS

6.a Donate Life Month Proclamation

Mayor Allen presented the proclamation designating April as "Donate Life Month" in the City of Covina, to Susan Lesniak, representing One Legacy.

7. PUBLIC COMMENTS

Diana Mullins thanked Parks and Recreation Department for a successful Chalk Art Festival.

Sandy Fetter, representing Luminate Church, Covina, addressed Council regarding an outreach taking place on Saturday, June 10, 2023, (9 am to 1 p.m.) for a community clean up event helping seniors.

8. COUNCIL/AGENCY/AUTHORITY COMMENTS

Mayor Pro Tem King commended Parks & Recreation for doing a great job with the Chalk Art Festival.

Mayor Allen, and Councilmembers Cortez and Delgado also commended Parks & Recreation for the Chalk Art Festival.

Mayor Allen also mentioned remembering Kay Manning. He indicated Council adjourned the last meeting in her memory and said she will be forever remembered for her tireless work on the Yellow Ribbon - Military service recognition program.

9. CITY MANAGER COMMENTS

City Manager Marcarello reported that Covina Center for the Performing Arts theater will be featuring a Concert "No Duh - Tribute to No Doubt and Gwen Stefani" on Friday, April 21, 2023, at 8 p.m. He added that tickets are available online.

10. CONSENT CALENDAR

Councilmember Cortez requested Consent Calendar item 10.k. be pulled for further discussion.

A motion was made by Mayor Pro Tem King, seconded by Councilmember Delgado, to approve Consent Calendar items 10.a. through 10.j. and 10.l through 10.o.

10.a Minutes

Motion made by: Mayor Pro Tem/Vice Chair King

Seconded by: Councilmember Delgado

Approve the Minutes of the April 4, 2023, Regular Meeting of the City Council/Successor Agency to the Covina Redevelopment Agency/Covina Public Financing Authority/Housing Authority.

Approved

10.b Payment of Demands

Motion made by: Mayor Pro Tem/Vice Chair King

Seconded by: Councilmember Delgado

Approve Payment of Demands in the amount of \$1,714,066.12

Approved

10.c City of Covina Investment Report for Month Ended March 31, 2023

Motion made by: Mayor Pro Tem/Vice Chair King

Seconded by: Councilmember Delgado

Receive and File.

Approved

10.d Purchase Agreement for Building Maintenance Division and Parks & Recreation Department – 3 Ford E-Transit Cargo Vans

Motion made by: Mayor Pro Tem/Vice Chair King

Seconded by: Councilmember Delgado

Authorize the City Manager to execute a Purchase Order with National Auto Fleet Group for the purchase of three (3) 2023 Ford E-Transit Cargo Vans in an amount not-to-exceed \$188,278.14.

Approved

10.e Resolution CC 2023-22, Authorizing the Application for the Urban and Community Forestry Grant Program Funds (Green Schoolyards Planning Grant) from the California Department of Forestry and Fire Protection (CalFire)

Motion made by: Mayor Pro Tem/Vice Chair King

Seconded by: Councilmember Delgado

Staff recommends that the City Council adopt Resolution CC 2023-22.

Approved

10.f Resolution CC 2023-26, Amending the Fiscal Year 2022-2023 Operating Budget and Approving an Appropriation of \$315,000 as per a Development Agreement with PS Southern California One, Inc., and Making a Determination of Exemption from CEQA

Motion made by: Mayor Pro Tem/Vice Chair King

Seconded by: Councilmember Delgado

Adopt Resolution CC 2023-26.

Approved

10.g Resolution CC 2023-24 Approving and Recordation of Tract No. 83343 (Century Communities) Located at 155 E. Covina Boulevard

Motion made by: Mayor Pro Tem/Vice Chair King

Seconded by: Councilmember Delgado

Adopt Resolution CC 2023-24 approving the recordation of Tract No. 83343 (Century Communities) located at 155 E. Covina Boulevard.

Approved

10.h Adopt Joint Tax Sharing Resolution Approving and Accepting Negotiated Exchange of Property Tax Revenues Resulting from Annexation of Specific Property Located at 1071 E. Covina Hills Road into Los Angeles County Sanitation District No. 22

Motion made by: Mayor Pro Tem/Vice Chair King

Seconded by: Councilmember Delgado

Adopt the joint tax sharing resolution, City Council Resolution CC 2023-25 approving and accepting the negotiated exchange of property tax revenues resulting from the annexation of a specific property located at 1071 E. Covina Hills Road into Los Angeles County Sanitation District No. 22.

Approved

10.i 2022 State Homeland Security Grant Program Subrecipient Agreement with the County of Los Angeles

Motion made by: Mayor Pro Tem/Vice Chair King

Seconded by: Councilmember Delgado

1. Approve and sign the 2022 State Homeland Security Program Sub-recipient Agreement between the County of Los Angeles the City of Covina;
2. Approve the purchase of Motorola radio equipment offered through the reimbursable State of California FY 2022 Homeland Security Program (SHSP); and
3. Adopt Resolution CC 2023-28 to increase the Police Department's 2022-23 budget by \$45,577 resulting from the 2022 Homeland Security Grant award.

Approved

10.j City-Wide Sidewalk Repair Project – Award of Contract to FS Contractors, Inc. for an Amount Not-To-Exceed \$267,770

Motion made by: Mayor Pro Tem/Vice Chair King

Seconded by: Councilmember Delgado

1. Approve plans and specifications for the City-Wide Sidewalk Repair Project;
2. Award a contract for the City-Wide Sidewalk Repair Project to FS Contractors, Inc. as the lowest responsive and responsible bidder in an amount not-to-exceed \$267,770 and authorize the City Manager to execute the contract;
3. Authorize a contingency amount of \$10,000 for any unforeseen construction expenses.
4. Adopt Resolution CC 2023-27 appropriating \$27,915 from Measure M FY2023 operating budget to the City-Wide Sidewalk Repair Project.

Approved

ITEM PULLED FOR FURTHER DISCUSSION

10.k Consideration of an Update and Renewal to the Professional Services Agreement between the City of Covina and Willdan Financial Services for Special District Administration, Bond Disclosure Services, and Annexation Services

Councilmember Cortez requested this item be pulled for further discussion.

She requested an amendment be made to the recommendation that next year an RFP process be initiated for these services.

Motion made by: Councilmember Cortez

Seconded by: Councilmember Linares

Item recommendation amended as follows:

1. Authorize the City Manager to execute a Professional Services Agreement with Willdan Financial Services for Special District Administration, Bond Disclosure Services, and Annexation Services and authorize the City Manager or his designee to execute the Agreement and related documents; and
2. Adopt Resolution CC 2023-29 to amend the FY 22-23 Community Facilities District (2007-1) budget to increase the Consulting and Legal expenditure budgets; and
3. That next year an RFP process is initiated for these services.

Approved

10.l Professional Services Agreement with Advantage Mailing, LLC for Printing and Binding Services for the City of Covina's Quarterly Newsletter Publication

Motion made by: Mayor Pro Tem/Vice Chair King

Seconded by: Councilmember Delgado

Authorize the City Manager to execute the Professional Services Agreement with Advantage Mailing, LLC.

Approved

10.m Consideration of Resolution CC 2023-30, Revising the Date and Time of the First Public Hearing of the Public Financing Authority of the Covina Enhanced Infrastructure Financing District

Motion made by: Mayor Pro Tem/Vice Chair King

Seconded by: Councilmember Delgado

Adopt Resolution CC 2023-30 revising the date and time of the first Public Hearing of the Public Financing Authority of the Covina Enhanced Infrastructure Financing District.

Approved

10.n Resolution CC 2023-31, A Resolution of the City Council of the City of Covina Authorizing the City to Enter into the Settlement Agreements with Teva, Allergan, CVS, Walgreens, and Walmart, Agree to the Terms of the Memorandum of Understanding Allocating S

Motion made by: Mayor Pro Tem/Vice Chair King

Seconded by: Councilmember Delgado

Adopt Resolution CC 2023-31, A Resolution of the City Council of the City of Covina Authorizing the City to Enter into the Settlement Agreements with Teva, Allergan, CVS, Walgreens, Walmart, Agree to the Terms of the Memorandum of Understanding Allocating Settlement Proceeds, and Authorize Entry Into the Memorandum of Understanding With the Attorney General and Authorize the City Manager to Take All Actions Necessary and Convenient to Implement the Settlements.

Approved

10.o Appropriation for Public Safety Facility Repairs and Contract Emergency Planning Services

Motion made by: Mayor Pro Tem/Vice Chair King
Seconded by: Councilmember Delgado

That the City Council adopt Resolution CC 2023-32, authorizing appropriations from the City's allotment of American Rescue Plan Act funds to complete certain public safety facility repairs and emergency services planning functions.

Approved

11. PUBLIC HEARINGS

11.a Planned Community Development Modification 22-1

Mayor Allen opened the Public Hearing.

The agenda report was provided by Planning Technician, Joshua Pereira.

Questions and discussion followed.

There were no public comments.

Mayor Allen closed the Public Hearing.

Motion made by: Mayor Pro Tem/Vice Chair King
Seconded by: Councilmember Cortez

That the City Council approve Planned Community Development Modification (PCD) 22-01 and introduce Ordinance CC 23-03, entitled "An Ordinance of the City Council of the City of Covina, California, Approving Planned Community Development Modification (PCDM) 22-01 as Modified and Amending the Covina Townhomes Planned Community Development (PCD) 77-002 District Overlay Zone by Modifying Condition of Approval No. 4 and Adding Numbers 12 and 13 Under Section 3 of Ordinance No. 1374, and Making a Finding of Exemption Under the California Environmental Quality Act (CEQA) Guidelines".

Approved

11.b Ordinance 23-04 – An Ordinance of the City of Covina adding Chapter 5.89 to Title 5, Amending Section 5.24.100, and Repealing Section 10.32.150 of the Covina Municipal Code Regarding Regulations of Peddlers, Sidewalk Vendors and Mobile Food Facilities and

Mayor Allen opened the Public Hearing.

City Manager Marcarello indicated this item relates to updating the Municipal Code to conform with State requirements.

The agenda report was provided by Community Development Director Lee.

Mayor Allen closed the Public Hearing.

Public comment was given by Sergio Baraza regarding the food truck issue stating he owns 17 food trucks and 6 restaurants.

Considerable questions and discussion followed.

Motion made by: Mayor Pro Tem/Vice Chair King

Seconded by: Councilmember Delgado

Waive full reading and introduce Ordinance 23-04 and making a determination of exemption under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3), and that no further environmental review is required.

Councilmember Cortez expressed concern regarding parameters not going far enough and stated she would like to make a substitute motion.

Considerable discussion and questions followed.

Motion made by: Mayor Pro Tem/Vice Chair King

Seconded by: Councilmember Delgado

Considerable discussion followed with Mayor Pro Tem King and Councilmember Delgado withdrawing their motion and presenting a new motion to continue the public hearing to a date uncertain and direct staff to make further refinements.

Approved

11.c Approving Covina Town Center Specific Plan (CTCSP) Amendment No. 4 and Making a Determination of Exemption Under California Environmental Quality Act (CEQA) Pursuant to CEQA Guidelines Section 15061(b)(3)

Mayor Allen opened the Public Hearing.

The agenda report was provided by Planning Consultant Fong.

There were no public comments.

Considerable questions and discussion followed.

Mayor Allen closed the Public Hearing and expressed his support for a majority of the amendments, however, he indicated that he would be voting no on this item due to his concerns regarding cannabis businesses.

Motion made by: Councilmember Delgado

Seconded by: Councilmember Linares

Adopt Resolution CC 2023-23 approving Covina Town Center Specific Plan (CTCSP) Amendment No. 4 by amending various chapters as follows: adding land use categories and establishing core downtown area prohibiting cannabis businesses in Chapter 3; clarifying residential ground floor height for Table 4-1 Building Form, and adding sign standards in Chapter 4; adding new definitions in Chapter 7; and making a determination of exemption under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3), and that no further environmental review is required, Guidelines Section 15162.

Ayes (4): Councilmember Delgado, Mayor Pro Tem/Vice Chair King, Councilmember Linares, and Councilmember Cortez

Noes (1): Mayor Allen

Approved (4 to 1)

11.d Introducing Ordinance 23-02 and Making a Determination of Exemption from the California Environmental Quality Act

Mayor Allen opened the Public Hearing.

The agenda report was provided by Planning Consultant Fong.

There were no public comments.

Mayor Allen closed the Public Hearing.

Motion made by: Councilmember Cortez

Seconded by: Councilmember Delgado

Waive full reading and introduce Ordinance 23-02 entitled, “An Ordinance of the City Council of the City of Covina, California, to establish regulations to implement two-unit residential developments and urban lot splits in single family zones as required by Senate Bill 9 (2021-2022), by approving Zoning Code Amendment (ZCA) 23-01 to amend Title 17 (Zoning) by modifying definition section 17.04.143, single-family residential zones sections 17.08.020 (A-1), 17.10.020 (A-2), 17.12.020 (E-½), 17.14.020 (E-1), 17.20.020 (R-1-20,000), 17.22.020 (R-1-10,000), 17.24.020 (R-1-8,500) and 17.26.020 (R-1-7500) for permitted uses, and adding a new section 17.33.060 for permitted uses; and approving Municipal Code Amendment to amend Title 16 (Subdivision) by modifying Chapter 16.02, 16.04, 16.14, and adding new section 16.06, and making a determination of exemption from the California Environmental Quality Act.

12. ADJOURNMENT

At 9:20 p.m. the Covina City Council/Successor Agency to the Covina Redevelopment Agency/Covina Public Financing Authority/Covina Housing Authority adjourned to its next regular meeting of the Council/Agency/Authority scheduled for May 2, 2023 at 6:30 p.m. for closed session and at 7:30 p.m. for open session inside the Council Chamber at City Hall, located at 125 East College Street, Covina, California, 91723.

Fabian Velez, Deputy City Clerk

Walter Allen III, Mayor/Chair



CITY OF COVINA AND SUCCESSOR AGENCY TO THE COVINA REDEVELOPMENT AGENCY AGENDA ITEM REPORT

Item #10.b.

Meeting: May 2, 2023
Title: Payment of Demands
Presented by: Anita Agramonte, Administrative Services Director
Recommendation: Approve Payment of Demands in the amount of \$3,571,291.27.

EXECUTIVE SUMMARY/BACKGROUND:

Attached is a list of warrants and demands which are being presented for approval and are summarized as follows:

Accounts Payable Warrants March 31, 2023 – April 13, 2023

CITY checks/EFTs	\$ 2,544,666.26
CITY payroll	\$ 1,009,878.91
CITY voids	\$ (2,123.51)
Worker's Comp	\$ 8,878.75
	<u>\$ 3,561,300.41</u>
 SACRA checks/EFTs	 \$ 5,316.12
SACRA payroll	\$ 4,674.74
	<u>\$ 9,990.86</u>
 TOTAL checks/EFTs	 <u>\$ 3,571,291.27</u>

DISCUSSION:

The attached reports have been reviewed by the Administrative Services Director.

FISCAL IMPACT:

Sufficient funding is available and the related costs are included in the Fiscal Year 22/23 Budget.

Respectfully submitted,



Anita Agramonte
Administrative Services Director

CITY OF COVINA
Check Register
Mar 31, 2023 - Apr 13, 2023

Check #	Check Date	Vendor	Name	Amount
5882	04/04/2023	1075	WEX BANK	303.09
5883	02/01/2023	477	STATE OF CA	2,235.00
5884	03/29/2023	5207	PNC BANK NATIONAL ASSOCIATION	739,242.78
5885	04/13/2023	4003	MidAmerica	2,589.77
20663	04/13/2023	788	COVINA, CITY OF	25.98
20664	04/13/2023	2033	NATIONWIDE RETIREMENT SOLUTIONS	6,550.00
20665	04/13/2023	788	COVINA, CITY OF	46,483.54
20666	04/13/2023	789	COVINA-FSA, CITY OF	977.82
20667	04/13/2023	2033	NATIONWIDE RETIREMENT SOLUTIONS	22,551.97
20668	04/13/2023	487	CalPERS	7,065.03
subtotal EFT/wires/direct deposits				\$ 828,024.98
115478	04/05/2023	44	ADAMSON INDUSTRIES	4,807.06
115479	04/05/2023	158	AMERICAN TRAFFIC SOLUTIONS	16,698.31
115480	04/05/2023	219	AT&T	25.43
115481	04/05/2023	269	BAKER AND TAYLOR INC	1,431.45
115482	04/05/2023	649	CINTAS CORP #693	331.20
115483	04/05/2023	700	COLLEY FORD	8,169.44
115484	04/05/2023	703	UNIQUE PRINTING	204.04
115485	04/05/2023	749	THE COUNSELING TEAM	300.00
115486	04/05/2023	783	CITY OF COVINA WATER	471.91
115487	04/05/2023	788	CASH	400.00
115488	04/05/2023	849	DAPEER ROSENBLIT & LITVAK LLP	6,174.47
115489	04/05/2023	970	EDISON CO	151.74
115490	04/05/2023	970	EDISON CO	10,272.27
115491	04/05/2023	1055	FEDEX	150.29
115492	04/05/2023	1156	THE GAS COMPANY	395.43
115493	04/05/2023	1204	GOLDEN STATE WATER COMPANY	115.05
115494	04/05/2023	1241	GRAND PRINTING	108.05
115495	04/05/2023	1275	HAAKER EQUIPMENT CO	1,816.80
115496	04/05/2023	1352	HINDERLITER DELLAMAS & ASSOC	3,111.37
115497	04/05/2023	1429	INLAND EMPIRE STAGES	2,348.81
115498	04/05/2023	1505	JOHNNY'S POOL SERVICE	1,322.78
115499	04/05/2023	1612	LA CNTY DEPT OF PUBLIC WORKS	366.18
115500	04/05/2023	1612	LA CNTY DEPT OF PUBLIC WORKS	560.58
115501	04/05/2023	1614	LA CNTY FIRE DEPARTMENT	696,609.46
115502	04/05/2023	1663	LAW ENFORCEMENT MEDICAL	800.00
115503	04/05/2023	1694	LEWIS ENGRAVING INC	193.98
115504	04/05/2023	1707	LIEBERT CASSIDY WHITMORE	3,479.95
115505	04/05/2023	1895	MERRIMAC ENERGY GROUP	28,776.26
115506	04/05/2023	1933	MISSION LINEN SUPPLY	14.52
115507	04/05/2023	2415	REPUBLIC MASTER CHEFS	369.50
115508	04/05/2023	2619	SGV EXAMINER	511.50
115509	04/05/2023	2676	SMART AND FINAL IRIS CORP	498.63
115510	04/05/2023	2737	STAPLES INC	1,361.88
115511	04/05/2023	2743	STATE CONTROLLER'S OFFICE	3,568.04
115512	04/05/2023	2953	URBAN FUTURES INC	22,307.50
115513	04/05/2023	3052	WATERLINE TECHNOLOGIES INC	2,491.65
115514	04/05/2023	3102	WILLDAN FINANCIAL SERVICES	3,000.00
115515	04/05/2023	3134	XEROX CORPORATION	745.29
115516	04/05/2023	3152	YWCA	806.52
115517	04/05/2023	3185	TOSHIBA FINANCIAL SERVICES	2,065.92
115518	04/05/2023	3771	BLACK & WHITE EMERGENCY VEHICLES	471.66

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Check #	Check Date	Vendor	Name	Amount
115519	04/05/2023	3796	RICHARDS, WATSON & GERSHON	27,529.30
115520	04/05/2023	4065	VERIZON WIRELESS	2,201.36
115521	04/05/2023	4077	INTERWEST CONSULTING GROUP INC	487.50
115522	04/05/2023	4156	LEVERAGE INFORMATION SYSTEMS, INC.	7,002.21
115523	04/05/2023	4455	FRONTIER	567.12
115524	04/05/2023	4667	Ocean Blue Environmental Services, Inc.	6,197.30
115525	04/05/2023	4687	Mighty Oak Technnology	21,500.00
115526	04/05/2023	4714	CIR, Inc.	41,303.63
115527	04/05/2023	4766	HASA, INC.	1,037.60
115528	04/05/2023	4817	Weck Analytical Environmental Services, Inc.	300.00
115529	04/05/2023	4885	ELIE FARAH	16,440.00
115530	04/05/2023	4886	DG Collision LLC	12,211.98
115531	04/05/2023	4928	Springstead & Associates, Inc.	4,000.00
115532	04/05/2023	5011	Excel Office Services	175.57
115533	04/05/2023	5053	ENVIRONMENTAL SCIENCE ASSOCIATES	4,506.25
115534	04/05/2023	5117	Steam It All LLC	590.00
115535	04/05/2023	5169	Occupational Health Centers of California	122.00
115536	04/05/2023	5203	FEHR & PEERS	15,521.63
115537	04/05/2023	5213	TANGLED WEB SOLUTIONS: INVESTIGATIONS	1,500.00
115538	04/05/2023	5228	ODP BUSINESS SOLUTIONS, LLC	137.19
115539	04/05/2023	5254	COLUMBIA TELECOMMUNICATIONS CORPORATION	2,704.50
115540	04/05/2023	5278	VNCH INC	14,000.00
115541	04/05/2023	5291	AMAZON CAPITAL SERVICES, INC	914.53
115542	04/05/2023	5345	CENTRAL SEATING INC	275.94
115543	04/05/2023	5346	TRIEPEI SMITH & ASSOCIATES INC	2,550.00
115544	04/05/2023	5348	AOIFE ENTERPRISES INC	9,389.22
115545	04/05/2023	5353	WILLIAM ZIN	400.00
115546	04/05/2023	5355	CivicPlus LLC	4,800.00
115547	04/05/2023	5358	SIERRA SCHOOL EQUIPMENT COMPANY	2,083.73
115548	04/05/2023	99999	ALICE LEUNG	55.68
115549	04/05/2023	99999	AMAL YACOB	60.25
115550	04/05/2023	99999	ANGEL CARRILLO	1,218.88
115551	04/05/2023	99999	ARB, INC	327.43
115552	04/05/2023	99999	BRANDON LOPEZ	43.23
115553	04/05/2023	99999	CENTURY COMMUNITIES OF CALIFORNIA, LLC	500.00
115554	04/05/2023	99999	CHARLIE HUANG	19.97
115555	04/05/2023	99999	CHENG-WEI SUN	12.00
115556	04/05/2023	99999	CHENG-WEI SUN	26.89
115557	04/05/2023	99999	CLINTON YIP	75.33
115558	04/05/2023	99999	DAVID PALOMARES	38.61
115559	04/05/2023	99999	DR. JAMES LEE LAWSON	147.77
115560	04/05/2023	99999	ERS PARTNERS L.P.	35.18
115561	04/05/2023	99999	FOOTHILL MANAGEMENT GROUP INC	43.27
115562	04/05/2023	99999	JAMES BAILEY	154.84
115563	04/05/2023	99999	JOANNA ESPINOSA	145.60
115564	04/05/2023	99999	JOSEPH VALATKAS	60.97
115565	04/05/2023	99999	KEVIN FINLEY	57.52
115566	04/05/2023	99999	MARGARITA BARRERA	55.95
115567	04/05/2023	99999	MICHELLE WU	50.92
115568	04/05/2023	99999	NAHED ELNAHASS	40.91
115569	04/05/2023	99999	NICHOLAS L AGUILAR	41.07
115570	04/05/2023	99999	RONALD GEDDES	64.26

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115571	04/05/2023	99999	STANDARD AUTO LIFT AND EQUIPMENT	60.62
115572	04/05/2023	99999	VIKEN BANJARJIAN	54.05
115573	04/13/2023	37	ACRYLATEX	122.60
115574	04/13/2023	113	ALL CITY MANAGEMENT SVC	915.75
115575	04/13/2023	159	AMERICAN WATER WRKS ASSOC	311.00
115576	04/13/2023	160	AMERICAN WEST COAST SECURITY	25.00
115577	04/13/2023	219	AT&T	809.48
115578	04/13/2023	219	AT&T	76.29
115579	04/13/2023	255	AZUSA PLUMBING & HEATNG SUPPLY	1,376.81
115580	04/13/2023	437	BURRO CANYON ENT INC	150.00
115581	04/13/2023	477	STATE OF CA	851.70
115582	04/13/2023	568	CAT SPECIALTIES INC	2,627.24
115583	04/13/2023	649	CINTAS CORP #693	331.20
115584	04/13/2023	654	CITRUS CAR WASH	19.99
115585	04/13/2023	703	UNIQUE PRINTING	405.72
115586	04/13/2023	749	THE COUNSELING TEAM	150.00
115587	04/13/2023	766	COVINA DISPOSAL CO	17,106.83
115588	04/13/2023	771	COVINA IRRIGATING CO	195,838.97
115589	04/13/2023	970	EDISON CO	59,279.35
115590	04/13/2023	1156	THE GAS COMPANY	2,379.84
115591	04/13/2023	1204	GOLDEN STATE WATER COMPANY	243.79
115592	04/13/2023	1235	GRAINGER	1,859.79
115593	04/13/2023	1352	HINDERLITER DELLAMAS & ASSOC	2,671.94
115594	04/13/2023	1361	HOLLIDAY ROCK CO INC	693.37
115595	04/13/2023	1430	INLAND WATER WORKS SUPPLY CO	24,999.75
115596	04/13/2023	1437	INTER-CON SECURITY SYSTEMS INC	15,816.21
115597	04/13/2023	1441	INTERSTATE BATTERY SYSTEM OF EAST SAN GABRIEL	477.44
115598	04/13/2023	1531	JW LOCK CO INC	83.29
115599	04/13/2023	1571	KING BOLT CO	74.78
115600	04/13/2023	1646	LANGUAGE LINE SERVICES INC	118.44
115601	04/13/2023	1707	LIEBERT CASSIDY WHITMORE	60.00
115602	04/13/2023	1754	LOWE'S COMPANIES INC	296.48
115603	04/13/2023	1867	MEDINA, FRANK	149.53
115604	04/13/2023	1895	MERRIMAC ENERGY GROUP	34,994.59
115605	04/13/2023	1933	MISSION LINEN SUPPLY	14.52
115606	04/13/2023	2091	O REILLY AUTO PARTS	823.70
115607	04/13/2023	2104	OFFICE DEPOT	99.79
115608	04/13/2023	2238	PEST OPTIONS INC	435.00
115609	04/13/2023	2275	POIRIER, ROBERT	140.00
115610	04/13/2023	2345	QUILL	143.09
115611	04/13/2023	2415	REPUBLIC MASTER CHEFS	421.95
115612	04/13/2023	2714	SOUTHERN CA GAS CO ML711D	500.00
115613	04/13/2023	2855	SPECTRUM	84.99
115614	04/13/2023	2855	CHARTER COMMUNICATION	380.46
115615	04/13/2023	2886	TRADEWAY GLASS CO	486.96
115616	04/13/2023	2954	URBAN GRAFFITI ENTERPRISES INC	3,635.00
115617	04/13/2023	3001	VERIZON WIRELESS	2,803.85
115618	04/13/2023	3023	VULCAN MATERIALS COMPANY	664.91
115619	04/13/2023	3052	WATERLINE TECHNOLOGIES INC	996.66
115620	04/13/2023	3070	WEST COAST ARBORISTS INC	5,070.00
115621	04/13/2023	3102	WILLDAN FINANCIAL SERVICES	4,000.00
115622	04/13/2023	3256	MULTI W SYSTEMS INC	12,056.87

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115623	04/13/2023	3600	COMMERCIAL DOOR METAL SYSTEMS INC	5,424.35
115624	04/13/2023	3701	DEPARTMENT OF JUSTICE	652.00
115625	04/13/2023	3729	SUNBELT RENTALS INC	678.37
115626	04/13/2023	3735	QUADIENT LEASING USA, INC.	851.29
115627	04/13/2023	3749	JCL TRAFFIC SERVICES	2,193.68
115628	04/13/2023	3929	BOOT BARN INC	298.48
115629	04/13/2023	3988	LANDSCAPE WAREHOUSE III	257.96
115630	04/13/2023	4246	FERGUSON WATERWORKS #1083	10,494.70
115631	04/13/2023	4247	UNITED WATER WORKS INC	1,946.28
115632	04/13/2023	4279	BOSS JANITORIAL SERVICES	13,006.63
115633	04/13/2023	4343	ZUMAR INDUSTRIES	6,838.70
115634	04/13/2023	4389	EMPLOY AMERICA	2,322.00
115635	04/13/2023	4438	CALIFORNIA COMPUTER SCHOOLS, INC	105.00
115636	04/13/2023	4455	FRONTIER	6,031.30
115637	04/13/2023	4567	Glendora Gardens Nursery	188.47
115638	04/13/2023	4571	POWER SECURITY GROUP INC	12,655.00
115639	04/13/2023	4676	Hill Brothers Chemical Company	1,412.61
115640	04/13/2023	4693	DuraTech USA, Inc.	21,032.28
115641	04/13/2023	4764	UniFirst Corporation	1,856.50
115642	04/13/2023	4784	Apollo Wood Recovery, Inc.	12,817.79
115643	04/13/2023	4871	HARRINGTON INDUSTRIAL PLASTICS, LLC	416.26
115644	04/13/2023	4885	ELIE FARAH	6,312.00
115645	04/13/2023	4934	Peter Joseph Bucknam	5,782.00
115646	04/13/2023	4977	Enterprise FM Trust	4,432.92
115647	04/13/2023	5019	GM Sager Construction Co., Inc.	4,880.00
115648	04/13/2023	5080	Spohn Ranch, Inc.	22,000.00
115649	04/13/2023	5112	Procure America, Inc	733.08
115650	04/13/2023	5117	Steam It All LLC	670.00
115651	04/13/2023	5138	Ricoh USA, Inc.	299.63
115652	04/13/2023	5186	Dash Platform, LLC	802.76
115653	04/13/2023	5260	FM&LCE	375.00
115654	04/13/2023	5269	CONTROL AIR HOLDINGS INC	2,414.00
115655	04/13/2023	5280	ALDERMAN & HILGERS LLP	7,936.50
115656	04/13/2023	5283	Y TIRE PERFORMANCE	4,838.56
115657	04/13/2023	5291	AMAZON CAPITAL SERVICES, INC	335.35
115658	04/13/2023	5309	FAR EAST LANDSCAPE AND MAINTENANCE INC	22,293.55
115659	04/13/2023	5331	SPERIDAN TECHNOLOGIES LLC	49,450.00
115660	04/13/2023	5344	CARPET MARKET	7,147.10
115661	04/13/2023	5354	MALLORY SAFETY & SUPPLY LLC	27.33
115662	04/13/2023	5354	MALLORY SAFETY & SUPPLY LLC	625.40
115663	04/13/2023	5357	CREATIVE SOLUTIONS OF NEW ENGLAND	737.95
115664	04/13/2023	5359	RADIUS MAPS COMPANY	1,925.00
115665	04/13/2023	5360	MAS MODERN MARKETING INC	1,157.83
115666	04/13/2023	5361	POWER MINUTE VISION PROPERTIES LLC	25,000.00
115667	04/13/2023	99999	ALEJANDRO CEDILLO	45.00
115668	04/13/2023	99999	AMANDA RODRIGUEZ	45.00
115669	04/13/2023	99999	AMBER ALEMAN	1,212.00
115670	04/13/2023	99999	CESAR LOPEZ	45.00
115671	04/13/2023	99999	CYNTHIA ARVIZO	120.00
115672	04/13/2023	99999	DOWAN MCBRIDE	45.00
115673	04/13/2023	99999	EAN HOLDINGS	45.00
115674	04/13/2023	99999	HILDA ALVARADO	45.00

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115675	04/13/2023	99999	JEANNE MCCABE	45.00
115676	04/13/2023	99999	LEE MATTHEU	45.00
115677	04/13/2023	99999	MARIA AGUILAR	45.00
115678	04/13/2023	99999	MAXIMILIANO GUZMAN	10.00
115679	04/13/2023	99999	REBECCA PARKER	30.00
115680	04/13/2023	99999	RENE VILLALOBOS	70.18
115681	04/13/2023	99999	RUDOLPH FLORES	45.00
115682	04/13/2023	99999	SARA GONZALEZ	200.00
115683	04/13/2023	68	AFLAC ACCT# YQ792 WORLDWIDE HEADQUARTERS	4,066.59
115684	04/13/2023	69	AFSCME District Council 36	609.67
115685	04/13/2023	775	COVINA POLICE ASSOCIATION	2,900.00
115686	04/13/2023	878	DELTA DENTAL OF CALIFORNIA	8,724.43
115687	04/13/2023	2235	PERS LONG TERM CARE PROGRAM	238.79
115688	04/13/2023	3795	PRE-PAID LEGAL SERVICES, INC	140.02
115689	04/13/2023	3846	CLEA	891.00
115690	04/13/2023	4710	Fidelity Security Life Insurance Company	919.51
			subtotal checks	\$ 1,721,957.40
114809	02/15/2023	4027	ENVIRONMENTAL NATURE CENTER	(270.70)
115023	03/01/2023	99999	ANGEL CARRILLO	(1,218.88)
115210	03/16/2023	5335	TACO SAAS LLC	(633.93)
			voids	\$ (2,123.51)
			payroll (04/13/23)	\$ 1,014,553.65
			workers' compensation	\$ 8,878.75
TOTAL checks/EFTs				\$ 3,571,291.27



CC Regular Meeting AGENDA ITEM REPORT

Meeting: May 2, 2023
Title: AB481 Annual Report
Presented by: Chief David Povero
Recommendation: Review and approve AB481 Annual Report.

EXECUTIVE SUMMARY:

AB481 requires a law enforcement agency to declare to the Governing Body (City Council) the Funding, Acquisition and Use of Military Equipment. Military Equipment is defined within AB481. AB481 requires a law enforcement agency to review and/or audit the Funding, Acquisition and Use of Military Equipment on an annual basis. The attached report includes a review and/or audit of year 2022 and declares the Police Department's inventory, inventory description, training and budget projections pertaining to Military Equipment.

DISCUSSION:

Assembly Bill No. 481 (AB481) was approved by the Governor in September 2021. The Covina Police Department met the requirement of AB481 in 2022 as required. This included adopting a Military Equipment policy (706), creating an of inventory of equipment that met the definition of Military Equipment per AB481 and included other pertinent information about the equipment per AB481 requirements. This inventory/report was presented to the City Council by the Chief of Police in April 2022 and approved/adopted by ordinance. This inventory/report is completed on an annual basis. The inventory/report reviews year 2022 and introduces 2023 inventory.

FISCAL IMPACT:

None. Existing Police Department budget addresses projected 2023 costs.

CEQA (CALIFORNIA ENVIRONMENTAL QUALITY ACT):

Not applicable.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "David Povero", written over a horizontal line.

David Povero
Chief of Police



CITY OF COVINA

INTER-OFFICE MEMORANDUM

DATE: April 3, 2023
TO: David Povero, Chief of Police
FROM: Daniel Regan, Police Captain
SUBJECT: Annual Military Equipment Report 2022

Introduction

Assembly Bill (AB) 481 requires law enforcement agencies to obtain approval of the applicable governing body, by adoption of a military equipment use policy, as specified by ordinance, prior to taking actions related to the funding, acquisition, or use of military equipment. The term military equipment is defined within AB 481. Under this definition, military equipment is available to law enforcement through the military or via private companies.

On March 15, 2022, the Covina Police Department (CPD) approved Policy Section 706, which includes a military equipment inventory and supporting document. This policy and document are maintained by the CPD and posted on our website for the public. The policy was adopted by the applicable governing body (City Council) by ordinance on April 19, 2022.

CPD Policy § 706.7 requires an annual report to be submitted to the City Council for review via the Chief of Police as long as the military equipment is available for use. The report shall include information from the preceding calendar year for each type of military equipment listed in the inventory. This memorandum serves as the annual report covering the dates between March 15, 2022 through December 31, 2022.

Report

(1) Military Equipment Use and Purpose

In an effort to track Military Equipment use and purpose within the Department to address AB 481 reporting requirements, documents were changed and/or created within the Department to meet this need. Changes were made to a document used by the Special Response Team (SRT) referred to as an After-Action Report (AAR). This AAR summarizes training and operations by SRT. A new document was created to track military equipment use and purpose during training by the Department (excluding SRT). An Addendum to the Department Use of Force report was created and an AAR, specifically designed for use by for the newly formed Unmanned Aircraft Systems

(UAS) Team, was also created. These documents were reviewed during the above-mentioned 2022 time span and utilized to prepare this memorandum. A summary of the use and purpose of use of military equipment during the above-mentioned dates is as follows:

Unit	Date	Incident No.	AB 481 Equipment Used & Purpose
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Patrol	5/27/2022	22-14410	Kinetic Energy Munitions (40mm / Bean Bag)
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Purpose: Officers deployed (1) 40mm projectile from a designated launcher and (3) bean bag projectiles from a designated launcher on a subject who entered the rear lot of the police department armed with a knife. Equipment used to effect an arrest and defense of self/others.

Patrol	12/29/2022	22-36796	ARV / Kinetic Energy Munitions (Bean Bag)
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Purpose: Officers used the ARV Mamba for tactical (cover and concealment) reasons during a vehicle barricade involving one occupant. Officers deployed (1) bean bag at the vehicle window in order to gain access to the inside of the vehicle since it was locked. Subject inside the vehicle exited the vehicle after the window was broken. Subject was detained. Equipment used for tactical reasons and to effect an arrest (detention).

SRT	5/6/2022	22-12305	ARV / LRAD / Command & Control Vehicle
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Purpose: SRT personnel assisted an outside jurisdiction (Azusa PD) with the service of a search warrant. SRT personnel used the ARV Mamba for tactical (cover and concealment) reasons. The LRAD was used for announcements during the service of the search warrant and a marked CPD Chevy Tahoe was used for Command & Control purposes by SRT Supervision. The search warrant was served.

SRT	6/7/2022	N/A	ARV
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Purpose: SRT personnel assisted an outside jurisdiction (Azusa PD) with the service of a search warrant. SRT personnel used the ARV Mamba for tactical (cover and concealment) reasons during the service of this warrant. The search warrant was served.

SRT	6/24/2022	22-17267	Command & Control Vehicle / LRAD / NFD
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Purpose: SRT personnel served a CPD search warrant. A marked CPD Chevy Tahoe was used for Command & Control purposes by SRT Supervision. The mobile LRAD was used for announcements during the service of the search warrant. (2) NFD were used for diversionary purposes during the service of the search warrant. The search warrant was served.

Unit	Date	Incident No.	AB 481 Equipment Used & Purpose (Continued)
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SRT	7/22/2022	22-20103	ARV / LRAD / Command & Control Vehicle
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Purpose: SRT personnel assisted an outside jurisdiction (Azusa PD) with the service of a search warrant. SRT personnel used the ARV Mamba for tactical (cover and concealment) reasons during the service of the search warrant. The LRAD was used for announcements during the service of the search warrant. A marked CPD Chevy Tahoe was used for Command & Control purposes by SRT Supervision. The search warrant was served.

SRT	8/4/2022	N/A	ARV / LRAD / Robot / Drone / Command & Control Vehicle
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Purpose: SRT personnel assisted an outside jurisdiction (West Covina PD) with the service of search warrant. SRT personnel used the ARV MRAP for tactical (cover and concealment) reasons during the service of the search warrant. The LRAD was used for announcements during the service of the search warrant. The Robot was used for searching purposes in difficult areas hard to clear and/or poised a high risk to personnel. The drone was used to provide overwatch of the service of this search warrant. A marked CPD Chevy Tahoe was used for Command & Control purposes by SRT Supervision. The search warrant was served.

SRT	10/13/2022	N/A	ARV
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Purpose: SRT personnel assisted an outside jurisdiction (Azusa PD) with the service of a search warrant. SRT personnel used the ARV Mamba for tactical (cover and concealment) reasons during the service of the search warrant. The search warrant was served.

Training	3/16/2022	N/A	Chemical Munitions (Inert) / Kinetic Energy Munitions (Training and Bean Bag)
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Purpose: The Firearms Training Unit trained a new officer(s). Inert Pepperball from a designated launcher was used, several 40mm training rounds from a designated launcher was used and (1) bean bag was utilized from a designated launcher.

Training	4/13/2022	N/A	Chemical Munitions (Inert) / Kinetic Energy Munitions (Training and Bean Bag)
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Purpose: The Firearms Training Unit trained new officer(s). Inert Pepperball was used from a designated launcher, several 40mm training rounds was used from a designated launcher and (2) bean bags were utilized from a designated launcher.

Unit	Date	Incident No.	AB 481 Equipment Used & Purpose (Continued)
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Purpose: The Firearms Training Unit trained new officer(s). Inert Pepperball was used from a designated launcher, several 40mm training rounds were used from a designated launcher and (2) bean bags were utilized from a designated launcher.

Training	9/21/2022	N/A	Chemical Munitions (Inert) /Kinetic Energy Munitions (Training and Bean Bags)
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Purpose: The Firearms Training Unit trained new officer(s). Inert Pepperball from a designated launcher was used, several 40mm training rounds from designated launcher were used and (10) bean bags were utilized.

Department	10/4/2022	22-27072	Robot / ARV / Command & Control Vehicle / Drone
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Purpose: The CPD hosted National Night Out (NNO). The Robot was used by for display purposes. The public was allowed to maneuver the robot under the guidance of SRT personnel. The ARV MRAP was used for display purposes and the public was allowed to enter the vehicle. A marked CPD Chevy Tahoe was used for display purposes and Command & Control purposes for the NNO event. The drone was used by UAS Team personnel for display and overwatch purposes during the NNO event. Personnel interacted with the public, including answering questions from the public regarding equipment on display.

Department	12/3/2022	N/A	Command & Control Vehicle / ARV / Drone
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Purpose: The City of Covina Annual Covina Christmas Parade. The CPD was responsible for security during this event. The Area D Command & Control vehicle was used for command purposes by CPD Supervision. The ARV MRAP and ARV Mamba were used along the parade route with designated personnel for security purposes per the designated Operations Plan. During the parade, the drone was requested due to a threat to the public and/or participants at the parade that was being investigated by the CPD.

SRT	4/26/2022	N/A	Robot
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Purpose: SRT used the robot during their designated stealth searching tactics training.

SRT	8/24/2022	N/A	Robot / Chemical Munitions
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Purpose: SRT personnel used the robot during their training. SRT also used live Pepperball (>20) using a designated launcher during their training.

Unit	Date	Incident No.	AB 481 Equipment Used & Purpose (Continued)
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SRT	9/22/2022	N/A	Robot
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Purpose: SRT personnel used the robot during their training.

SRT	11/22/2022	N/A	Robot / Kinetic Energy Munitions
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Purpose: SRT personnel used the robot during their training. SRT personnel also used 40mm training munitions using a designated launcher during their training.

SRT	12/13/2022	N/A	Chemical Munitions
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Purpose: SRT personnel used (2) Spede Heat CS gas devices and utilized their gas masks during their training.

SRT	12/20/2022	N/A	Drone
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Purpose: SRT personnel requested the UAS Team to demonstrate the capabilities of the two UAV devices owned by the Department during their training.

The Department added (2) Unmanned Aerial Vehicles (UAV) oftentimes referred to as drones which will be used by the Department UAS Team. These UAVs were acquired through private donations and approved by the City Council. The UAVs were acquired for use for the purpose of supporting law enforcement operations within the Department. CPD policy section 606 governs the use of these devices. The following is a spreadsheet showing the use of each device by make/model and identification since they were acquired. The spreadsheets indicate date used, the assigned incident number documenting use, purpose and the flight time. Flight time is measured numerically (.1 equals or <6 minutes).

UAS Make/Model: Autel Evo 2

UAS Identification: U1

Date	Incident #	Total Flight Time
6/17/2022	22-16591	.3
6/22/2022	22-17073	.3
6/27/2022	22-17571	.3
7/9/2022	22-18812	.4
7/18/2022	22-19946	1.3
7/29/2022	22-20875	.5
8/4/2022	22-21377	1.4
10/4/2022	22-27072	.8
11/1/2022	22-31024	.6

11/11/2022	22-31803	.9
12/1/2022	22-9937	.1
12/3/2022	22-27290	.8
12/19/2022	22-35801	.3
12/20/2022	22-35992	.2

UAS Make/Model: Autel Lite

UAS Identification: U2 Champ

Date	Incident #	Total Flight Time
11/5/2022	22-31465	.4
11/9/2022	22-31887	.3
12/3/2022	22-27290	.5

(2) Complaints or Concerns

The CPD did not receive any complaints from the public regarding the use of military equipment as described under CPD Policy 706.10.

(3) Internal Audit, Violation(s) and Action(s)

An internal audit of how the Department used military equipment did not reveal any significant issues and/or violations that required any actions by the Department. An issue was noticed in regards to inventory or count, specifically between the 2022 inventory and the 2023 inventory, as it relates to quantity of items. The first issue was discovered during the 2023 inventory which revealed a total of (31) NFD (item number 26) devices. This count included (15) complete devices (metal body plus fuse) and (16) devices (fuse only). It was determined the 2022 inventory or count only included complete NFDs (metal body and fuse) which is the configuration an NFD should be in for deployment purposes and did not include the fuses without a metal body.

A second issue was also discovered during the 2023 inventory or count. The 2023 inventory revealed a discrepancy in the type of chemical munitions in the 2022 inventory. The difference involved the quantity of item number 29 (CTS 5230 Indoor Baffled munition) and the quantity of item number 35 (Def-Tech Instantaneous Blast). The 2023 inventory for item number 29 was (3) CTS 5230 Indoor Baffled munitions and for item number 35 was (4) Def-Tech Instantaneous Blast munitions. The sum of these two items in the 2022 inventory and the 2023 inventory was the same but the type of munitions recorded was done in error in the 2022 inventory.

The third issue discovered was (1) additional 40mm sponge round (item number 51) was accounted for during the inventory or count which would bring our 2023 inventory to (38) 40mm sponge rounds.

The above-mentioned issues were addressed with Department staff who assist in this inventory. It was also determined the method of determining the quantity for item numbers 41 and 52 henceforth will be determined by rounds in manufacturer packaging and will not include rounds in designated less lethal shotgun side saddle(s) and/or Pepperball hopper(s) and/or carrying case(s). The use of the symbols for less than and greater than will be used when applicable.

(4) Annual Cost

In 2022, the City Council approved the Military Equipment Inventory-2022 document. This document included the projected annual cost (funds) for the acquisition, maintenance, repair, upgrade, replacement and ongoing costs of military equipment. Equipment is assigned an item number within this list and will be referred to by number henceforth.

Item numbers 1-18 (Ground Robots) did not require any funds as projected in 2022. The majority of these devices are kept for parts.

Item number 19 (ARV-MRAP) did not require any funds as projected other than fuel costs in 2022. Fuel for the ARV-MRAP is acquired through the fuel tank dispensary system at Public Works and billed to the Department.

Item number 20 (ARV-Mamba) had two maintenance related costs in 2022 along with fuel costs. Fuel for the ARV-Mamba is acquired through the fuel tank dispensary system at Public Works and billed to the Department. The first maintenance related cost on the ARV-Mamba was in April 2022 for \$813.08. The second maintenance related cost on the ARV-Mamba was in August 2022 for \$375.00.

Item numbers 21-25 (LRAD) did not require any funds as projected in 2022. Item numbers 26-36 did not require any funds as projected in 2022. Item number 37 (Chemical Agent Kit and related contents) and item number 38 (Launcher) did not require any funds as projected in 2022.

Item numbers 39-54 (Launcher/Pepperball/40mm Munitions/Bean Bag Munitions/Breaching Munitions/Launching Devices) did not require any funds as projected in 2022.

As mentioned above in section one of this report, the Department added (2) UAV devices in 2022. These devices were not in the original Military Equipment Inventory-2022 document due to the devices being acquired after the initial document was approved. Both of these devices were acquired through private donations for the purpose of developing a UAS program at the CPD. Funds for this program were approved by the City Council prior to acquisition.

The first UAV was an Autel Evo 2 640T. The cost of this device was \$9,230.00. Registration for this device through the FAA was \$5.00. The second UAV was an Autel Lite. The cost of this device was \$1,183.40. Registration for this device through the FAA was \$5.00. These two devices will be added to the Military Equipment Inventory-2023 document which will be addressed in section of five of this report.

(5) Quantity

See attached CPD Military Equipment Inventory-2023 document for further details.

(6) Additional Military Equipment-2023

The Department will be researching available grant funding for additional military equipment, specifically (1) armored vehicle, such as a Lenco Bearcat or similar vehicle, and (1) Command and Control vehicle. The purpose of the research pertaining to the armored vehicle is to replace and/or add an armored vehicle to our inventory. The purpose of the research pertaining to the Command and Control vehicle is to add a Command and Control vehicle to our inventory for mobile command operations. A possible source of funding for the Command and Control vehicle would be sought through the Cannabis Tax Fund Grant Program (CTFGP).

The Department may need to acquire and/or replenish a certain quantity of items listed within the Military Equipment Inventory-2023 document, specifically breaching, NFD, chemical and kinetic munitions, in order to maintain stock of these items for future law enforcement use. The type (make and manufacturer) would be similar to those listed in the Military Equipment Inventory-2023 document and quantity would be determined based on projected need at the time of purchase.

Any other military equipment, that falls outside or is not reflected in the Military Equipment Inventory-2023 document, sought by the Department will be brought to the attention of the City Council prior to acquisition.

Other

On August 15, 2022, the Defense Logistics Agency sent a memorandum to the Law Enforcement Support Office (LESO) Program. The memorandum was an addendum to the existing State Plan of Operation referred to as the SPO Addendum. The addendum implements requirements found within Presidential Executive Order (EO) 14074 “Advancing Effective, Accountable Policing and Criminal Justice Practices to Enhance Public Trust and Public Safety”.

The CPD reviewed this memorandum due to our participation in the LESO Program. Chief of Police David Povero signed the SPO Addendum and related documents on December 13, 2022. The Department sent the signed documents as required to the State Point of Contact which were received by Janice Barnes on December 14, 2022.

Conclusion

In 2022, the CPD developed and approved Department Policy 706 pertaining to military equipment as defined by AB 481. The purpose of this policy was to provide guidelines for the approval, acquisition and reporting requirements of military equipment per Government Code 7070, Government Code 7071 and Government Code 7072. This memorandum serves as the 2022 Military Equipment Annual Report and will be submitted to the Chief of Police. Upon approval by the Chief of Police, the report will be submitted to the City Council and posted on the Department website as required. Within (30) days of submitting and publicly releasing this report, the Department will announce a community engagement meeting as required.

Submitted by: Daniel Regan, Police Captain

Reviewed & Approved by: David Povero, Chief of Police

Date: April 3, 2023

Report Release to Public Date via Department Website: TBD

Public Meeting (within 30 Days of Report Release)

- Date: April 27, 2023
- Time: 0900-1000 hours
- Location: City Hall-Council Chambers
125 E. College Street Covina, CA 91723
- Publication of Meeting and Source: Department Website

ATTACHMENT

COVINA POLICE DEPARTMENT AB 481 MILITARY EQUIPMENT-2023

Military Equipment Inventory per CPD Policy 706.4 (2023)							
#	DEPARTMENT	LESO PROGRAM (Y/N)	ACTIVE (Y/N)	COMMODITY	ITEM NAME	COST	QTY
1	CA COVINA POLICE DEPT	Y	Y	GROUND ROBOT	PACKBOT 510 WITH FASTAC REMOTELY CONTROLLED VEHICLE	\$77,000.00	1
2	CA COVINA POLICE DEPT	Y	N	GROUND ROBOT	PACKBOT 510 WITH FASTAC REMOTELY CONTROLLED VEHICLE	\$77,000.00	1
3	CA COVINA POLICE DEPT	Y	Y	GROUND ROBOT	PACKBOT 510 WITH FASTAC REMOTELY CONTROLLED VEHICLE	\$77,000.00	1
4	CA COVINA POLICE DEPT	Y	N	GROUND ROBOT	UNMANNED VEHICLE.GROUND	\$187,312.00	1
5	CA COVINA POLICE DEPT	Y	Y	GROUND ROBOT	UNMANNED VEHICLE.GROUND-SUGVXM 1216 (PACK BOT)	\$187,312.00	1
6	CA COVINA POLICE DEPT	Y	N	GROUND ROBOT	UNMANNED VEHICLE.GROUND	\$187,312.00	1
7	CA COVINA POLICE DEPT	Y	Y	GROUND ROBOT	UNMANNED VEHICLE.GROUND-SUGVXM 1216 (PACK BOT)	\$187,312.00	1
8	CA COVINA POLICE DEPT	Y	Y	GROUND ROBOT	UNMANNED VEHICLE.GROUND (THROWBOT RECON SCOUT)	\$12,704.58	1
9	CA COVINA POLICE DEPT	Y	N	GROUND ROBOT	UNMANNED VEHICLE.GROUND	\$12,704.58	1
10	CA COVINA POLICE DEPT	Y	N	GROUND ROBOT	UNMANNED VEHICLE.GROUND	\$12,704.58	1
11	CA COVINA POLICE DEPT	Y	Y	GROUND ROBOT	UNMANNED VEHICLE.GROUND (THROWBOT RECON SCOUT)	\$12,704.58	1
12	CA COVINA POLICE DEPT	Y	N	GROUND ROBOT	UNMANNED VEHICLE.GROUND	\$12,704.58	1
13	CA COVINA POLICE DEPT	Y	N	GROUND ROBOT	UNMANNED VEHICLE.GROUND (THROWBOT RECON SCOUT)	\$12,704.58	1
14	CA COVINA POLICE DEPT	Y	Y	GROUND ROBOT	UNMANNED VEHICLE.GROUND	\$12,704.58	1
15	CA COVINA POLICE DEPT	Y	N	GROUND ROBOT	UNMANNED VEHICLE.GROUND (THROWBOT RECON SCOUT)	\$12,704.58	1
16	CA COVINA POLICE DEPT	Y	Y	GROUND ROBOT	UNMANNED VEHICLE.GROUND	\$12,704.58	1
17	CA COVINA POLICE DEPT	Y	N	GROUND ROBOT	UNMANNED VEHICLE.GROUND	\$12,704.58	1
18	CA COVINA POLICE DEPT	Y	N	GROUND ROBOT	UNMANNED VEHICLE.GROUND	\$12,704.58	1
19	CA COVINA POLICE DEPT	Y	Y	ARMORED VEHICLE	MRAP (MINE RESISTENT AMBUSH PROTECTED)-ARMORED VEHICLE	\$658,000.00	1
20	CA COVINA POLICE DEPT	Y	Y	ARMORED VEHICLE	MAMBA-ARMORED PERSONNEL CARRIER VEHICLE	\$380,000.00	1
21	CA COVINA POLICE DEPT	Y	Y	LRAD-SOUND SYSTEM	LONG RANGE ACOUSTIC DEVICE (LRAD) PORTABLE SYSTEM	UNKNOWN	1
22	CA COVINA POLICE DEPT	Y	Y	LRAD-SOUND SYSTEM	LONG RANGE ACOUSTIC DEVICE (LRAD) PORTABLE SYSTEM	UNKNOWN	1
23	CA COVINA POLICE DEPT	Y	N	LRAD-SOUND SYSTEM	LONG RANGE ACOUSTIC DEVICE (LRAD) PORTABLE SYSTEM	UNKNOWN	1
24	CA COVINA POLICE DEPT	Y	N	LRAD-SOUND SYSTEM	LONG RANGE ACOUSTIC DEVICE (LRAD) MOUNTED SYSTEM W/UNIT	UNKNOWN	1
25	CA COVINA POLICE DEPT	Y	Y	LRAD-SOUND SYSTEM	LONG RANGE ACOUSTIC DEVICE (LRAD) MOUNTED SYSTEM W/UNIT	UNKNOWN	1
26	CA COVINA POLICE DEPT	N	Y	NFD	NOISE FLASH DEVICE (NFD)/RELOADABLE #8901-DEFENSE TECHNOLOGY	\$34.41	31
27	CA COVINA POLICE DEPT	N	Y	CS CHEMICAL AGENT	SPEDE-HEAT #1072-DEFENSE TECHNOLOGY	\$31.05	7
28	CA COVINA POLICE DEPT	N	Y	CS CHEMICAL AGENT	FLAMELESS TRI-CHAMBER #1032-DEFENSE TECHNOLOGY	\$38.41	5
29	CA COVINA POLICE DEPT	N	Y	CS CHEMICAL AGENT	5230 INDOOR BAFFLED #5230B-CTS (COMBINED TACTICAL SYSTEMS)	\$49.75	3
30	CA COVINA POLICE DEPT	N	Y	SMOKE	MIL/MAX SMOKE #1083-DEFENSE TECHNOLOGY	\$36.90	8
31	CA COVINA POLICE DEPT	N	Y	SMOKE	SAF-SMOKE # 1063-DEFENSE TECHNOLOGY	\$30.70	2
32	CA COVINA POLICE DEPT	N	Y	CS CHEMICAL AGENT	POCKET TACTICAL #1016-DEFENSE TECHNOLOGY	\$26.41	2
33	CA COVINA POLICE DEPT	N	Y	CS CHEMICAL AGENT	37MM LIQUID FERRET #1162-DEFENSE TECHNOLOGY	\$22.30	15
34	CA COVINA POLICE DEPT	N	Y	CN CHEMICAL AGENT	37 MM POWDER FERRET #1191-DEFENSE TECHNOLOGY	\$24.70	8
35	CA COVINA POLICE DEPT	N	Y	CS CHEMICAL AGENT	INSTANTANEOUS BLAST #1042-DEFENSE TECHNOLOGY	\$49.82	4
36	CA COVINA POLICE DEPT	N	Y	OC-PEPPER	AEROSOL OC (OLEORESIN CAPSICUM) VAPOR #1056-DEFENSE TECHNOLOGY	\$47.18	1
37	CA COVINA POLICE DEPT	N	Y	CHEMICAL AGENT KIT	CROWD CONTROL CHEMICAL AGENT MODULE/KIT- AARDVARK #AARD-10028	\$5,800.00	1
	CA COVINA POLICE DEPT	N	Y	CS CHEMICAL AGENT	HAN-BALL CS #1092-DEFENSE TECHNOLOGY	SEE LINE 37	10
	CA COVINA POLICE DEPT	N	Y	CS CHEMICAL AGENT	SPEDE-HEAT #1072-DEFENSE TECHNOLOGY	SEE LINE 37	20
	CA COVINA POLICE DEPT	N	Y	SMOKE	MAX SMOKE LARGE CAN #1073-DEFENSE TECHNOLOGY	SEE LINE 37	20
	CA COVINA POLICE DEPT	N	Y	CS CHEMICAL AGENT	TRIPLE CHASER GRENADE #1026-DEFENSE TECHNOLOGY	SEE LINE 37	10
	CA COVINA POLICE DEPT	N	Y	CS CHEMICAL AGENT	40MM SKAT-SHELL CS #6172-DEFENSE TECHNOLOGY	SEE LINE 37	10
	CA COVINA POLICE DEPT	N	Y	CS CHEMICAL AGENT	40MM LR SPEDE-HEAT CS #6182-DEFENSE TECHNOLOGY	SEE LINE 37	10
	CA COVINA POLICE DEPT	N	Y	CS CHEMICAL AGENT	40MM MUZZLE BLAST ROUND CS #6042-DEFENSE TECHNOLOGY	SEE LINE 37	10
	CA COVINA POLICE DEPT	N	Y	OC-PEPPER	MK-9 PEPPER SPRAY OC (OLEORESIN CAPSICUM) #5099-DEFENSE TECHNOLOGY	SEE LINE 37	10
38	CA COVINA POLICE DEPT	N	Y	LAUNCHER	40 MM LAUNCHER-LMT-DEFENSE TECHNOLOGY	\$1,200.00	1
39	CA COVINA POLICE DEPT	N	Y	LAUNCHER	37MM DESIGNATED CNS GAS LAUNCHER-DEFENSE TECHNOLOGY	\$400.00	1
40	CA COVINA POLICE DEPT	N	Y	LAUNCHER	37MM DESIGNATED CNS GAS LAUNCHER-DEFENSE TECHNOLOGY	\$400.00	1
41	CA COVINA POLICE DEPT	N	Y	PEPPERBALL	PEPPERBALL MUNITIONS (375 COUNT CONTAINER)	\$796.50	> 1050*
42	CA COVINA POLICE DEPT	N	Y	LAUNCHER	PEPPERBALL DESIGNATED LAUNCHER-TIPPMAN 200TX	\$400.00	1
43	CA COVINA POLICE DEPT	N	Y	LAUNCHER	PEPPERBALL DESIGNATED LAUNCHER-TIPPMAN 200TX	\$400.00	1
44	CA COVINA POLICE DEPT	N	Y	LAUNCHER	PEPPERBALL DESIGNATED LAUNCHER-TIPPMAN 200TX	\$400.00	1
45	CA COVINA POLICE DEPT	N	Y	LAUNCHER	PEPPERBALL DESIGNATED LAUNCHER-TIPPMAN 200TX	\$400.00	1
46	CA COVINA POLICE DEPT	N	Y	LAUNCHER	PEPPERBALL DESIGNATED LAUNCHER-FTC W/ELECTRIC HOPPER	\$600.00	1
47	CA COVINA POLICE DEPT	N	Y	LAUNCHER	40MM DESIGNATED LAUNCHER 1325-DEFENSE TECHNOLOGY	\$1,000.00	1
48	CA COVINA POLICE DEPT	N	Y	LAUNCHER	40MM DESIGNATED LAUNCHER 1325-DEFENSE TECHNOLOGY	\$1,000.00	1
49	CA COVINA POLICE DEPT	N	Y	LAUNCHER	40MM DESIGNATED LAUNCHER 1325-DEFENSE TECHNOLOGY	\$1,000.00	1
50	CA COVINA POLICE DEPT	N	Y	LAUNCHER	40MM DESIGNATED LAUNCHER 1325-DEFENSE TECHNOLOGY	\$1,000.00	1
51	CA COVINA POLICE DEPT	N	Y	MUNITION	40MM MUNITION SPONGE ROUND #6325-DEFENSE TECHNOLOGY	\$21.53	38
52	CA COVINA POLICE DEPT	N	Y	MUNITION	BEANBAG MUNITION #3027-12 GAUGE-DEFENSE TECHNOLOGY	\$5.53	> 80*
53	CA COVINA POLICE DEPT	N	Y	MUNITION	BREACHING MUNITION-12 GAUGE #3105 TKO-DEFENSE TECHNOLOGY	\$6.59	35
54	CA COVINA POLICE DEPT	N	Y	LAUNCHING DEVICE	CTS (COMBINED TACTICAL SYSTEMS) MODEL LC5 TACTICAL LAUNCHER	\$346.50	2
55	CA COVINA POLICE DEPT	N	Y	AERIAL-DRONE	AUTEL EVO 2 640T ENTERPRISE	\$9,230.00	1
56	CA COVINA POLICE DEPT	N	Y	AERIAL-DRONE	AUTEL EVO LITE	\$1,183.40	1
	LEGEND						
>	Greater Than						
<	Less Than						
*	Quantity based on rounds in Manufacturer Packaging (excluding rounds in side saddle and/or hopper)						
	2/6/2023 dr1100						

706.4 MILITARY EQUIPMENT INVENTORY-2023 (ATTACHMENT)

The following spreadsheet constitutes a list of qualifying equipment for the Department:

(See Attached Excel Spreadsheet)

The following information pertains to the qualifying equipment on the spreadsheet. Sections entitled description and capabilities, quantity, cost, expected lifespan, purpose, fiscal impact, legal and procedural and training are described further within each category.

Item number 1 through 18 - Ground Vehicle (Robot)

Description/Capabilities: The robots are controlled via remote control and powered with a lithium battery. Inventory contains three different models varying in size and ability. These robots are used, not all are operational and are designated as active or non-active. Non-active robots are used for spare parts and/or are placed in reserve status for future use if necessary.

Quantity: Refer to Attachment.

Cost: No initial cost. Acquired through the Law Enforcement Support-LESO/1033 program. Refer to Attachment. Listed cost is based on US Government initial cost if available.

Expected Lifespan: An active unit's lifespan is approximately 3-5 years based on routine use, maintenance and parts. A non-active unit is stored for parts and are placed in reserve status.

Purpose: The robots are primarily used by the Department's tactical team however can be used by all Department personnel. Robots are placed into an area, building, room and other places prior to entry by Department personnel for safety reasons. Robots could be used for natural disaster and/or for non-emergency purposes where risk of entry to an area, building, room and other places exists. All robots have video capability and one model has the ability to move small objects.

Fiscal Impact: The robots were acquired through the LESO program with no initial cost to the Department. Annual maintenance cost is approximately \$100.00.

Legal and Procedural: Ground robots equipped with audio equipment (if applicable) may require a search warrant based on use if used for law enforcement purposes. Designated Department personnel have attended training related to this issue.

Training: Training on the robots is done in-house and in a controlled setting and/or environment prior to deployment in the field.

Item number 19 - MRAP (Mine Resistant Ambush Protected) - Armored Vehicle

Description/Capabilities: The MRAP is a four-wheeled armored vehicle made by MAXXPRO. The vehicle has two side doors, two roof openings and one large rear facing door. The vehicle has air brakes, contains numerous seats inside and several outside storage lockers for equipment.

The vehicle is identified with Department markings, equipped with additional lighting, a unit control system and a police radio.

Quantity: 1

Cost: No initial cost. Acquired through the Law Enforcement Support-LESO/1033 program. Refer to Attachment. Listed cost is based on US Government initial cost if available.

Expected Lifespan: Approximately 7-10 years based on routine use, maintenance and parts availability.

Purpose: The MRAP is used to transport Department personnel, primarily tactical team members, to designated high-risk law enforcement operations. The armor on this vehicle provides protection from firearm projectiles and/or other projectiles. This vehicle can also be used as a rescue vehicle due to its ballistic protection.

Fiscal Impact: The MRAP was acquired from a military base in El Paso, Texas. Two members of the Department traveled to El Paso, Texas and drove the vehicle to Covina, California. Initial cost was airfare, lodging, food, fuel costs and was completed on-duty. There are on-going costs to ensure Class B licensing requirements through a trainer and/or the California DMV which is covered with the annual Department budget which occurs on occasion. Annual maintenance cost of the vehicle is done through a local heavy equipment/vehicle service company which is part of the annual Department budget. Additional equipment, such as tires, have been acquired through the LESO program and are stored at our local heavy equipment/vehicle service company. Annual cost including fuel is approximately \$5,000.000 and is part of the annual Department budget.

Legal and Procedural: Class B licensing requirement except in an emergency situation.

Training: Designated personnel initially completed in-house training with members of the US Military. Designated personnel also attain their California Class B license. Designated personnel have attended specific training on the use of armored vehicles in a law enforcement setting from an outside training source. In-house training occurs on an annual basis.

Item number 20 - MAMBA Armored Personnel Carrier - Armored Vehicle

Description/Capabilities: The MAMBA is a four-wheeled armored vehicle made by Reumach OMC. The vehicle has one rear door, two roof openings and numerous seats inside the vehicle. The vehicle contains several outside lockers for equipment storage and platforms were added to allow personnel to stand alongside the vehicle while in transit. The vehicle is clearly identified with Department markings and equipped with additional lighting, a unit control system and a police radio. This vehicle can also be used as a rescue vehicle due to its ballistic protection.

Quantity: 1

Cost: No initial cost. Acquired through the Law Enforcement Support-LESO/1033 program. Refer to Attachment. Listed cost is based on US Government initial cost if available.

Expected Lifespan: Approximately 1-3 years based on routine use, maintenance and parts availability.

Purpose: The MAMBA is used to transport Department personnel, primarily tactical team members, to designated high-risk law enforcement details. The armor on this vehicle provides protection from firearm projectiles and/or other projectiles. This vehicle can also be used as a rescue vehicle due to its ballistic protection.

Fiscal Impact: The MAMBA was acquired from another law enforcement agency in Los Angeles County that was a part of the LESO program. Initial cost to restore the vehicle for use was done in conjunction with a local auto body company and heavy vehicle/equipment service company which was donated to the Department. On-going costs to ensure Class B licensing requirements through a trainer and/or California DMV which is part of the Department budget occurs on occasion. Annual maintenance of the vehicle is done through a local heavy equipment/vehicle service company which is part of the Department budget. Annual cost including fuel is approximately \$4,000.00 and is part of the Department budget.

Legal and Procedural: Class B licensing requirement except in an emergency situation.

Training: Designated personnel initially completed in-house training with members of the US Military. Designated personnel also attain their California Class B license. Designated personnel have also attended training on the use of armored vehicles in a law enforcement setting from an outside training source. Tactical team members conduct designated annual training with this vehicle. All sworn personnel receive basic operations in-house training on this vehicle.

Item number 21 through 25 - LRAD (Long-Range Acoustic Device)

Description/Capabilities: The LRAD is a speaker and sound energy system developed by (LRAD Corporation) Genasys.

Quantity: Refer to Attachment.

Cost: No initial cost. Acquired through the Law Enforcement Support-LESO Program/1033 Program. Refer to Attachment. Listed cost is based on US Government initial cost if available.

Expected Lifespan: Approximately 20 years based on routine use and maintenance.

Purpose: The LRAD is a speaker system used to communicate commands to an individual and/or a group of individuals. The system has the ability to deliver higher than normal loud sounds over various distances. Portable LRAD devices are often times used at outside training locations to communicate with Department personnel. Designated LRAD devices are placed on armored vehicles and used to communicate to people during tactical operations.

Fiscal Impact: The LRAD device(s) was acquired through the LESO program. Annual cost is approximately \$100.00.

Legal and Procedural: Department Directive (Policy 16-03).

Training: Designated personnel initially completed in-house training with members of the US Military.

Item number 26 - Noise Flash Device (NFD)

Description/Capabilities: An NFD is a less lethal munition. The NFD used by the Department is reloadable type #8901 by Defense Technology. The NFD is placed into a metal cylindrical shaped body with ports. The metal cylindrical shaped body can be reused based on the manufacturer's specifications.

Quantity: Refer to Attachment.

Cost: Refer to Attachment.

Expected Lifespan: One time use for an NFD. Expiration is based on the Manufacturer's designated date of manufacture. Metal cylindrical shaped body needs replacement after designated number of deployments per the manufacturer.

Purpose: An NFD is used to facilitate an effective resolution to assaultive or high-risk situations where distracting, disorienting or moving an individual or group of people, to effect an arrest or clear an area is desired.

Fiscal Impact: Initial cost was covered within the annual Department budget. Munitions are purchased based on need and/or stock. Additional equipment, specifically storage containers designed for NFD storage, and metal cylindrical shaped bodies are purchased through the annual Department budget. Annual cost is approximately \$250.00.

Legal and Procedural: Primarily a tactical team deployment munition. Department Policy section 404, applicable related Department procedures and the law. Authority to use certain munitions is based on the Department Policy and procedures considering the tactical operation and the law. These devices are controlled by ATF and a separate usage log is maintained by the Department. Devices are stored in approved storage containers.

Training: Initial training in the use of an NFD generally occurs at the POST certified 80-hour SWAT course. In-house training for designated personnel occurs on an annual basis from trained instructors. Trained instructors also receive additional training from the manufacturer and/or vendor prior to sale of NFD devices to the Department.

Item number 27 through 36 - CS (2-chlorobenzalmalmonitrile) Gas, CN (chloroacetophenone), Smoke and OC (Oleoresin Capsicum)

Description/Capabilities: CS gas, CN gas, smoke and OC are encased in metal devices by the manufacturer. CS gas, CN gas, smoke and OC devices are clearly marked and the manufacturer has developed different models which vary in size and method the product is released. The Military Equipment Inventory List contains the manufacturer of the product and model number for each munition. Detailed information on these products is available on the manufacturer's internet site. Smoke is not a CS gas, CN gas nor an OC product. Smoke is maintained within this list for inventory purposes only. OC is commonly referred to as pepper spray. Refer to the Military Equipment Inventory List for further information.

Quantity: Refer to Attachment.

Cost: Refer to Attachment.

Expected Lifespan: One time use on CS/CN gas and smoke. Expiration on these munitions is based on manufacturer's date of manufacture. OC lifespan is based on quantity dispersed and manufacturer's specifications.

Purpose: CS/CN gas, smoke and OC munitions can be used by Department patrol, tactical team and/or Area D personnel for tactical operations. This supply is primarily maintained for tactical team and Area D purposes related to high risk, barricade and/or mobile field force situations. Smoke can also be used for concealment purposes during tactical operations.

Fiscal Impact: Initial cost was covered within the annual Department budget. Annual cost is approximately \$250.00. Munitions are purchased based on need and/or stock.

Legal and Procedural: Department Policy sections 300, 302, 404, 430, applicable related Department procedures and the law. Penal Code 13652 and related sections. Authority to use certain munitions is based on the Department Policy and procedures considering the tactical operation and the law.

Training: Department personnel receive initial chemical agent munitions training in the police academy. Additional training is done through in-house training prior to the field officer training program. Tactical team personnel receive training during their 80-hour POST certified SWAT school. Tactical team personnel also receive annual in-house training from trained instructors. Area D personnel attend annual training from trained instructors. Remaining personnel receive on-going training on an annual basis during firearms training however this training primarily focuses on the deployment of gas masks and an overview of chemical agent munitions.

Item number 37 containing CS (2-chlorobenzalmalononitrile) Gas, Smoke and OC (Oleoresin Capsicum)

Description/Capabilities: Item number 37 is a Crowd Control Chemical Agent Module/Kit assembled by Aardvark Tactical. The three boxes contain Defense Technology CS chemical agents, smoke and OC munitions. The Military Equipment Inventory List contains the manufacturer of the product and model number of each munition. Detailed information on these products is available on the manufacturer's internet site. Smoke is not a CS gas product nor an

OC product. Smoke is maintained within this list for inventory purposes only. OC is commonly referred to as pepper spray. Refer to the Military Equipment List for further information.

Quantity: Refer to Attachment.

Cost: No initial cost. Purchased by a local business. Refer to Attachment.

Expected Lifespan: One time use on CS gas and smoke. Expiration based on manufacturer's designated date of manufacture. OC lifespan is based on quantity dispersed and manufacturer's specifications.

Purpose: Patrol and tactical operations. Can be used by patrol, tactical team and/or Area D personnel. This module/kit is primarily maintained for Mobile Field Force operations.

Fiscal Impact: Annual cost is approximately \$250.00. There will be a cost to replace used and/or expired munitions based on market value of device to be replaced in order to maintain listed purpose. Munitions are purchased based on need and/or stock.

Legal and Procedural: Department Policy sections 300, 302, 404, 430, applicable related Department procedures and the law. Penal Code 13652 and related sections. Authority to use certain munitions is based on the Department Policy and procedures considering the tactical operation and the law.

Training: Department personnel receive initial chemical agent training in the police academy. Additional training is done through in-house training prior to the field officer training program. Tactical team personnel receive additional training during their 80-hour SWAT school. Tactical team personnel receive on-going in-house training from trained instructors. Area D personnel attend annual training on an annual basis from trained instructors. Remaining personnel receive on-going training on an annual basis during firearms training however this training primarily focuses on the deployment of gas masks and an overview of chemical agent munitions.

Item number 38 - 40MM LMT Launcher

Description/Capabilities: The 40MM LMT launcher by Defense Technology is a lightweight single shot 40 MM launcher. The launcher comes equipped with a picatinny rail mounting system with a bead sight which will accept a wide array of enhanced optics or sighting systems. A sling can be applied and used for carrying purposes.

Quantity: Refer to Attachment.

Cost: No initial cost. Purchased by a local business. Refer to Attachment.

Expected Lifespan: Approximately 25 years based on routine use and maintenance.

Purpose: Launches standard 40MM less lethal munitions for law enforcement purposes in accordance with existing Department policy.

Fiscal Impact: Annual cost is approximately \$25.00.

Legal and Procedural: Department Policy sections 300, 302, 404, 430, applicable related Department procedures and the law. Penal Code 13652 and related sections. Authority to use certain munitions is based on the Department Policy and procedures considering the tactical operation and the law.

Training: Department personnel receive initial and on-going in-house training on the deployment of the 40MM LMT launcher. Item is similar to Department owned 40MM model 1325 and 37MM launchers.

Item number 39 through 40 - 37MM Launcher

Description/Capabilities: The 37MM launcher is a single shot munitions launcher by Defense Technology. The launcher has a bead sight and a sling can be applied for carrying purposes.

Quantity: Refer to Attachment.

Cost: Refer to Attachment.

Expected Lifespan: Approximately 3-5 years based on routine use and maintenance. Department is considering phasing this equipment out and replacing it with similar 40MM equipment.

Purpose: Launches standard 37MM less lethal munitions. These launchers are specifically designated to the Tactical Team for 37MM chemical agent deployment.

Fiscal Impact: Item is 20+ years old however operates effectively. Annual maintenance cost is approximately \$25.00.

Legal and Procedural: Department Policy sections 300, 302, 404, 430, applicable related Department procedures and the law. Penal Code 13652 and related sections. Authority to use certain munitions is based on the Department Policy and procedures considering the tactical operation and the law.

Training: Designated Department personnel receive initial and on-going in-house training on the deployment of 37MM launcher. It is similar to the 40MM model 1325 and LMT launchers.

Item number 41 - Pepperball

Description/Capabilities: Pepperball PAVA powder projectiles by Pepperball are plastic spheres that are filled with OC (Oleoresin Capsicum) based product. Projectiles are launched from a device commonly referred to as a launcher which is similar to a launcher used to launch paintball products.

Quantity: Refer to Attachment.

Cost: Refer to Attachment.

Expected Lifespan: Single use. Expiration based on manufacturer's designated date of manufacture.

Purpose: Patrol and tactical operations. Projectiles can be launched into an area, vehicle and/or at person(s).

Fiscal Impact: Initial cost was covered within the annual Department budget. Munitions are purchased based on need and/or stock. Annual cost is approximately \$ 750.00.

Legal and Procedural: Department Policy sections 300, 302, 404, 430, applicable related Department procedures and the law. Penal Code 13652 and related sections. Authority to use certain munitions is based on the Department Policy and procedures considering the tactical operation and the law.

Training: Department personnel receive initial chemical agent training in the police academy. Additional training is done through in-house training prior to the field officer training program. Tactical team personnel generally receive additional training during their 80-hour SWAT school. Tactical team personnel receive on-going in-house training from certified instructors. Area D personnel attend annual training with tactical team personnel on an annual basis from certified instructors. Remaining personnel receive on-going training on an annual basis during firearms training.

Item number 42 through 46 - Pepperball Launcher

Description/Capabilities: A Pepperball launcher is a compressed air propelled less-lethal device used to launch Pepperball munitions. Pepperball munitions are placed in a hopper (storage container) which is attached to the launcher. A sling can be applied for carrying purposes. Refer to Military Equipment List for manufacturer/model information.

Quantity: Refer to Attachment.

Cost: Refer to Attachment.

Expected Lifespan: Approximately 7-10 years based on routine use and maintenance.

Purpose: The launcher is used to deliver desired Pepperball munitions in a patrol and/or tactical operations. Primarily used to deliver Oleoresin Capsicum agent however inert powder and glass breaking projectiles can be deployed in this launcher based on the tactical situation and/or mission.

Fiscal Impact: Initial cost was covered within the annual Department budget. Annual maintenance cost is approximately \$200.00.

Legal and Procedural: Department Policy sections 300, 302, 404, 430, applicable related Department procedures and the law. Penal Code 13652 and related sections. Authority to use

certain munitions is based on the Department Policy and procedures considering the tactical operation and the law.

Training: Department personnel receive initial training prior to the field training officer program. Tactical team and Area D personnel receive additional in-house training from trained instructors. Additional training to remaining Department personnel occurs on an annual basis by trained instructors.

Item number 47 through 50 - 40MM Model 1325 Launcher

Description/Capabilities: The 40MM model 1325 is a single-shot launcher by Defense Technology. The launcher comes equipped with a picatinny rail mounting system with a bead sight which will accept a wide array of enhanced optics/sighting systems. A sling can be applied and used for carrying purposes.

Quantity: Refer to Attachment.

Cost: Refer to Attachment.

Expected Lifespan: Approximately 25 years based on routine use and maintenance.

Purpose: Device launches standard 40MM less lethal munitions for law enforcement purposes as a less lethal option.

Fiscal Impact: Initial cost was covered within annual Department budget. Annual maintenance cost is approximately \$100.00.

Legal and Procedural: Department Policy sections 300, 302, 404, 430, applicable related Department procedures and the law. Penal Code 13652 and related sections. Authority to use certain munitions is based on the Department Policy and procedures considering the tactical operation and the law.

Training: Department personnel receive initial training through in-house training prior to the field officer training program. Department personnel also receive annual in-house training on the deployment of the 40MM launcher. Item is similar to the Department owned 40MM LMT and 37MM launchers.

Item number 51 - 40MM Munition

Description/Capabilities: The model 6325 exact impact 40MM munition by Defense Technology is a high-speed soft round less lethal projectile. The round has a plastic body and a blue colored sponge nose.

Quantity: Refer to Attachment.

Cost: Refer to Attachment.

Expected Lifespan: Single use.

Purpose: The model 6325 exact impact 40MM projectile can be used in less lethal patrol and tactical situations as a less lethal option. A specialty impact munition to be used as a dynamic, high energy, single target round for incapacitation or the distraction of a non-compliant aggressive subject.

Fiscal Impact: Initial cost was covered within annual Department budget. Munitions are purchased based on need and/or stock. Annual cost is approximately \$300.00.

Legal and Procedural: Department Policy sections 300, 302, 404, 430, applicable related Department procedures and the law. Penal Code 13652 and related sections. Authority to use certain munitions is based on the Department Policy and procedures considering the tactical operation and the law.

Training: Department personnel receive initial training through in-house training prior to the field officer training program. Department personnel also receive annual in-house training on the deployment of 40MM projectiles.

Item number 52 - 12 Gauge Bean Bag Munition

Description/Capabilities: The bean bag munition by Defense Technology is a translucent 12-gauge shell loaded with a 40-gram, tear shaped bag made from cotton and ballistic material blend and filled with #9 shot. This design utilizes four stabilizing tails. The round utilizes a smokeless powder as the propellant. The munition is launched from a designated Department owned shotgun (Remington 870 12-gauge).

Quantity: Refer to Attachment.

Cost: Refer to Attachment.

Expected Lifespan: Single use.

Purpose: The bean bag munition can be used in less lethal patrol and tactical situations as a less lethal option. A specialty impact munition to be used as a dynamic, high energy, single target round for incapacitation or the distraction of a non-compliant aggressive subject.

Fiscal Impact: Initial cost was covered within the annual Department budget. Munitions are purchased based on need and/or stock. Annual cost is approximately \$300.00.

Legal and Procedural: Department Policy sections 300, 302, 404, 430, applicable related Department procedures and the law. Penal Code 13652 and related sections. Authority to use certain munitions is based on the Department Policy and procedures considering the tactical operation and the law.

Training: Department personnel receive initial and on-going in-house training on the use of 12-gauge beanbag projectiles from designated Remington 870 12-gauge Department owned shotguns on an annual basis.

Item number 53 - 12 Gauge Breaching Munition

Description/Capabilities: The breaching munition by Defense Technology is a translucent 12-gauge shell loaded with a compressed zinc slug. The munition is launched from a designated Department owned shotgun (Remington 870 12-gauge) with a specialized barrel that contains a serrated front edge or standoff ported device.

Quantity: Refer to Attachment.

Cost: Refer to Attachment.

Expected Lifespan: Single use.

Purpose: Used as a method to breach door locks or hinges for entry during high-risk law enforcement operations.

Fiscal Impact: Initial cost was covered within the annual Department budget. Munitions are purchased based on need and/or stock. Annual cost is approximately \$100.00.

Legal and Procedural: Primarily a tactical team deployment munition. Department Policy section 404, applicable related Department procedures and the law. Authority to use certain munitions is based on the Department Policy and procedures considering the tactical operation and the law.

Training: Designated Department tactical team personnel receive initial and on-going training on the deployment of 12-gauge breaching munitions from a designated Remington 12-gauge Department owned shotgun with a specialized barrel that contains a serrated front edge or standoff ported device. This training generally occurs at the POST certified 80-hour SWAT school and/or at a designated SWAT breaching course. Tactical team personal also receive annual in-house training.

Item number 54 - Launching Device by CTS (Combined Tactical Systems)

Description/Capabilities: The model LC5 tactical launching device by CTS is designed to be affixed to a 12-gauge shotgun. The Department affixes the device to the end of the barrel of a designated Department owned shotgun (Remington 870 12-gauge). A CTS 12-gauge #2600 munition is placed in the shotgun in order to launch CTS 52 series grenades which contain a chemical agent.

Quantity: Refer to Attachment.

Cost: Refer to Attachment.

Expected Lifespan: Approximately 25 years based on routine use and maintenance.

Purpose: The device is used to launch CTS 52 series grenades (ex. CTS 5230b chemical agent munition). Used in conjunction with a 12-gauge shotgun with CTS 12-gauge #2600 munition, CTS 52 series grenades can be loaded into the launching device and launched into a designated area during a tactical and/or mobile field force operation.

Fiscal Impact: Initial cost was covered within the annual Department budget. Annual cost for device including CTS 12-gauge #2600 munition is approximately \$100.00.

Legal and Procedural: Primarily a tactical team deployment munition as stated above in the purpose section. Department Policy sections 300, 302, 404, 430, applicable related Department procedures and the law. Penal Code 13652 and related sections. Authority to use certain munitions is based on the Department Policy and procedures considering the tactical operation and the law.

Training: Designated Department tactical team personnel receive training with this device in a certified training chemical agent course. Tactical team personnel receive additional in-house training from trained personnel.

Item number 55 - Aerial Vehicle (DRONE-Autel EVO 2 640T Enterprise)

Description/Capabilities: The Autel EVO 2 640T Enterprise is an aerial vehicle or drone with video/audio/thermal imaging capabilities. Device was acquired with batteries, spare parts and other accessories.

Quantity: 1

Cost: \$9,230.00

Expected Lifespan: Evaluated by UAS Team personnel based on use, technology, and maintenance.

Purpose: Assist in Law Enforcement related incidents and/or activities, specifically tactical incidents, command post or gathering intelligence purposes. Can be used for other City related functions related to public safety.

Fiscal Impact: Initial cost was covered through private donation. Donation was designated for the development of UAS Team for the CPD. Donation was approved for the stated purpose by the City Council. Related expected costs for this item will be associated within the annual Department budget. Annual cost is approximately \$600.00.

Legal and Procedural: FAA regulations, FAA registration and applicable law. Authority to use device is based on Department Policy section 606 and related procedures.

Training: Designated Department UAS Team personnel (pilots) must obtain FAA 107 license. Additional in-house and outside agency training for UAS Team personnel will be approved by Department Supervision as necessary and/or directed.

Item number 56 - Aerial Vehicle (DRONE-Autel EVO Lite)

Description/Capabilities: The Autel EVO Lite is an aerial vehicle or drone with video capabilities. Device was acquired with batteries, spare parts and other accessories.

Quantity: 1

Cost: \$ 1,183.40

Expected Lifespan: Evaluated by UAS Team personnel based on use, technology, and maintenance.

Purpose: Assist in Law Enforcement related incidents and/or activities, specifically tactical incidents, command post or gathering intelligence purposes. Can be used for other City related functions related to public safety.

Fiscal Impact: Initial cost was covered through private person donation. Donation was designated for the development of UAS Team for the CPD. Donation was approved for the stated purpose by the City Council. Related expected costs for this item will be associated within the annual Department budget. Annual cost is approximately \$ 400.00.

Legal and Procedural: FAA regulations, FAA registration and applicable law. Authority to use device is based on Department Policy section and related procedures.

Training: Designated Department UAS Team personnel (pilots) must obtain FAA 107 license. Additional in-house and outside agency training for UAS Team personnel will be approved by Department Supervision as necessary and/or directed.



CC Regular Meeting AGENDA ITEM REPORT

Meeting:	May 2, 2023
Title:	Approval of Fiscal Year 2024 Water Supply Strategy and Authorization to Execute all Requisite Documents
Presented by:	Andy Bullington, Director of Public Works
Recommendation:	<ol style="list-style-type: none">1) Approve the Fiscal Year 2024 water supply strategy outlined in this report;2) Authorize the City Manager to execute a Temporary Assignment or Lease of Water Right Form to assign 359.69 acre feet of Water Production Rights from the City to the Covina Irrigating Company for FY 2024;3) Authorize the City to solicit and lease up to 450 shares of Covina Irrigating Company stock for Fiscal Year 2024, and execute a Lease Agreement and an Order for Delivery with interested shareholders; and4) Authorize the City to participate in the Fiscal Year 2024 Covina Irrigating Company lease pool to the level needed to enable the City to achieve its water supply target.

EXECUTIVE SUMMARY:

The Department of Public Works presents herein a strategy for assembling the most cost-effective water supply for Covina water customers for FY 2024, emphasizing the use of water produced by Covina Irrigating Company (CIC). The strategy is predicated on an estimated total water demand of 5,249 acre feet (AF) for FY 2024.

BACKGROUND:

The City's Water Division provides safe, clean, and reliable water to approximately 8,500 residents and businesses. Since the City does not pump its own water, the City relies on water from external sources. Water produced by CIC and allocated to the City is the most cost-effective supply available. If the City's entitlement of CIC water becomes exhausted, or an unforeseen interruption in CIC supply occurs, the City would instead purchase imported water at a significantly higher cost.

Based on current and anticipated consumption for the upcoming fiscal year, the water demand for FY 2024 is expected to be 5,249 acre feet. Assembly of the City's annual water supply depends on three CIC sources.

First, the City owns 4,219 shares of CIC stock. Each share is equal to one acre foot of water (or 325,851 gallons). CIC's water comes predominantly from the Main San Gabriel Basin and the San Gabriel River at an estimated FY 2024 cost of \$480 per acre foot. This rate includes the Water Development Assessment (RDA) that allows the Watermaster to purchase and import additional water to replenish the Main San Gabriel Basin, which continues to experience a depletion of groundwater stemming from California drought conditions.

Second, the City has prescriptive pumping rights in the Main San Gabriel Basin. Since 1999 when the City ceased pumping operations at the Grand Avenue Well due to nitrate contamination, the City has been able to assign these pumping rights to CIC to produce water for the City. The actual quantity of water produced varies based on the operating safe yield (OSY) in the Basin (amount of water that can be withdrawn without producing an undesired effect). In the current fiscal year, the actual production quantity is 359.69 acre feet. The Watermaster will set the FY 2024 OSY by June 2023, however 359.69 acre feet of water production is expected to remain unchanged. The City's estimated cost to use the water is \$400 per acre foot. For any year in which the water supply is in considerable surplus, the City maintains the option to lease its pumping rights and receive a monetary benefit.

Third, the City may lease shares of CIC stock for a lease duration of one fiscal year. The target for FY 2024 is to lease up to 670 shares. The City will secure lease agreements with as many individual CIC shareholders as are interested, and will acquire the remainder from the lease pool managed by CIC. The lease rate to be paid by the City is estimated to be \$400 per share, plus \$480 per AF to treat the water.

DISCUSSION:

In preparation for FY 2024, the Department of Public Works has assembled the most cost-effective water supply. The proposed FY 2024 water supply is outlined in the table below:

Proposed FY 2024 Water Supply

Item	Shares	Acre Feet
City Ownership	4,219.00	4,219.00
Assignment of Water Production Rights to CIC	NA	359.69
CIC Stock Leases	670.00	670.00
Total		5,248.69

Note that any unused water is retained in the City's inventory and transfers over to the subsequent fiscal year. Surplus water that is purchased at today's price but utilized at a later date, results in financial savings to the City.

To assemble the most cost-effective water supply, as outlined in the table above, the Department of Public Works recommends the City Council authorize the following actions:

1. Assign the City's FY 2024 water production rights of 359.69 acre feet to CIC. To confirm the assignment, a Temporary Assignment or Lease of Water Right Form (Attachment A) would be executed by the City Manager, notarized, forwarded to CIC for mutual signature, and ultimately submitted to the Watermaster for approval;
2. Solicit and secure leases for up to 670 shares of CIC stock at a cost of \$400 per share from those shareholders interested in leasing stock to the City. An offer package would be sent to all shareholders, and will include an offer letter, a Lease Agreement (Attachment B), and an Order for Delivery (Attachment C). All required forms must be signed by the shareholder and returned to the City by June 9, 2023; and
3. Authorize the City to participate in the FY 2024 CIC lease pool. The City is entitled to the acquisition of 42% of the shares in the lease pool.

FISCAL IMPACT:

To assemble an adequate water supply for FY 2024, there will be a Water Fund impact of \$2,758,596.

A breakdown of costs for FY 2024 is as follows:

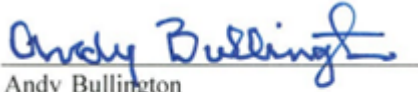
- Redeeming the 4,219 shares of CIC stock owned by the City will cost \$480 per share, for a total cost of \$2,025,120.
- The assignment of 359.69-acre feet of water production rights to CIC will cost \$400 per acre foot, for a total cost of \$143,876.
- Leasing up to 670 shares of CIC stock (through shareholder leases and CIC lease pool) will cost \$400 per share plus \$480 per share to CIC to produce the water, for a total cost of \$589,600.

Sufficient funding for these purchases is included in the FY 2024 Department of Public Works budget. There is no General Fund impact associated with any of these transactions.

CEQA (CALIFORNIA ENVIRONMENTAL QUALITY ACT):

Not applicable.

Respectfully submitted,



Andy Bullington
Director of Public Works

TEMPORARY ASSIGNMENT OR LEASE OF WATER RIGHT

For valuable consideration, receipt of which is hereby acknowledged, CITY OF COVINA ("Assignor") does hereby assign and transfer to COVINA IRRIGATING COMPANY,

("Assignee") commencing on July 1, 2023 and terminating June 30, 2024, on the following water right(s):

(Check the following appropriate category)

- | | |
|--|---|
| <input checked="" type="checkbox"/> <u>Production Right</u> <u>359.69</u> AF | <input type="checkbox"/> Integrated Production Right (consisting of _____ AF of "Prescriptive Pumping Component" and _____ AF of "Diversion Component") |
| <input type="checkbox"/> <u>Prescriptive Pumping Right</u> _____ AF | <input type="checkbox"/> Carryover Right _____ AF |
| <input type="checkbox"/> <u>Base Annual Diversion Right</u> _____ AF | |

adjudicated to Assignor or his predecessor in the Judgment in the case of "Upper San Gabriel Valley Municipal Water District, v. City of Alhambra, et al", Los Angeles Superior Court No. 924128.

Said assignment is made upon condition that:

- (1) Assignee shall exercise such right on behalf of Assignor for the period described hereinabove and the first water produced by Assignee from the Relevant Watershed of the Main San Gabriel Basin after the date hereof shall be that produced hereunder;
- (2) Assignee shall put all waters utilized pursuant to said transfer to reasonable beneficial use; and
- (3) Assignee shall pay all Watermaster assessments on account of the water production hereby assigned or leased.

DATED: _____

ASSIGNEE

ASSIGNOR

COVINA IRRIGATING COMPANY

CITY OF COVINA

Signature

Signature

Name of Designee (of Assignee) to receive
Services of Processes and Notices:

Name of Designee (of Assignor) to receive
Services of Processes and Notices:

David De Jesus, President/CEO

Chris Marcarello, City Manager

146 E. College Street

125 E. College Street

Covina, CA 91723

Covina, CA 91723

Address

Address

Tel. No.: 626-543-2669

Tel No.: 626-384-5410

To be executed by both Assignee and Assignor and, if separately requested by Watermaster, be accompanied by a map of the service area where the water was used by Assignor and a map of the service area where the water is intended to be used by the Assignee.

(Have the appropriate individual(s) or corporate attach acknowledgements completed as part of the temporary transfer.)

A TRUE COPY HEREOF MUST BE FILED WITH WATERMASTER WITHINN 15 DAYS OF EXECUTION
(To be accompanied by completed "Stipulation Re Intervention After Judgment" if the Assignee is not a party to the Judgment)



LEASE AGREEMENT

THIS LEASE is entered into on May 3, 2023, by and between _____ ("Lessor"), and the City of Covina ("Lessee").

IN CONSIDERATION of the terms and conditions hereinafter set forth, Lessor hereby leases to the Lessee and Lessee hereby rents from Lessor _____ shares of Covina Irrigating Company stock registered in the Lessor's name of _____ for the fiscal year July 1, 2023 through June 30, 2024.

Lessor agrees to execute such documents of assignment to Lessee in a form and manner which, from time to time, is required by Covina Irrigating Company.

1. The term of this Lease shall be for a period of one year, commencing July 1, 2023 and ending June 30, 2024.

2. Lessee shall pay Lessor rent: A one-time sum of \$_____ determined by multiplying the number of registered shares by \$400.00 per share.

3. Lessor is responsible and liable for payment for any assessments levied on the Covina Irrigating Company shares by the Covina Irrigating Company or any other person or entity.

4. Lessee agrees not to assign, mortgage or hypothecate this Lease or any interest herein without first obtaining the written consent of Lessor.

5. Lessee agrees, at its expense, to submit all the required reports requested by Covina Irrigating Company.

6. Lessee agrees to pay Lessor all costs and expenses, including attorney's fees in a reasonable sum, in any action brought by Lessor to recover any rent due and unpaid hereunder, or for the breach of any of the covenants and agreements contained in this Lease, whether said action progresses to judgment or not.

7. All communications, notices and demands of any kind shall be made in writing and served or sent by registered mail, postage prepaid, to the following address:

To Lessee: City of Covina
125 E. College Street
Covina, CA 91723

To Lessor: Name
Agency
Address
Address

8. It is understood and agreed that the Lessee may cure any default relating to payment of rent, within thirty (30) days after receipt of notice from Lessor. Lessor shall not commence any litigation proceedings against Lessee for the collection of rent within said thirty (30) day period.

9. This Lease shall inure to the benefit of and be binding upon the parties' heirs, successors and assigns.

10. This agreement only pertains to the use of entitled water and does not deprive Lessor of any of its stock voting rights or convey any voting rights to Lessee.

11. The Lessor's tax identification number (Social Security number or Employer Identification number) for tax reporting by the lessee is as follows:

Social Security Number or EIN _____

LESSOR:

LESSEE: City of Covina

By: _____

By: _____

Chris Marcarello
City Manager

Date: _____

Date: May 3, 2023



ORDER FOR DELIVERY OF WATER UNDER LEASE AGREEMENT

TO: COVINA IRRIGATING COMPANY

COVINA IRRIGATING COMPANY is hereby instructed to deliver a volume of water represented by ____ shares of stock registered in the name of _____ for the fiscal year ending June 30, 2024.

Under this agreement the LESSEE agrees to guarantee payment to COVINA IRRIGATING COMPANY for all cost of water delivered (except assessments) according to the By-Laws of COVINA IRRIGATING COMPANY.

The LESSOR under this agreement guarantees payment to COVINA IRRIGATING COMPANY in the event of default by the LESSEE for all water costs and agrees that these charges shall become a lien upon the registered owner of the stock the same as though the water had been delivered to the LESSOR. With this agreement the LESSOR and the LESSEE also acknowledge that neither COVINA IRRIGATING COMPANY, nor its Board of Directors, Employees, or Affiliates have any involvement whatsoever in the lease of stock by stockholders, and assumes no liability in connection therewith except to deliver water in accordance with the Company By-Laws.

LESSOR:

LESSEE: City of Covina

By: _____

By: _____
Chris Marcarello
City Manager

Date: _____

Date: May 3, 2023



CC Regular Meeting AGENDA ITEM REPORT

Meeting: May 2, 2023
Title: Resolution CC 2023-34 Adopting the North Barranca Avenue Rehabilitation Project and the East Cienega Avenue Rehabilitation Project as the City of Covina's Fiscal Year 2024 Senate Bill 1 (SB 1) Projects
Presented by: Andy Bullington, Director of Public Works
Recommendation: Adopt Resolution CC 2023-34 adopting the North Barranca Avenue Rehabilitation Project and the East Cienega Avenue Rehabilitation Project as the City of Covina's Fiscal Year 2024 Senate Bill 1 (SB 1) Projects and reserving all FY 2023-2024 RMRA funds for project construction costs.

EXECUTIVE SUMMARY/BACKGROUND:

Each year, the City receives transportation funding from the State of California, including grants and gas tax funds, through the Highway Users Tax Account (HUTA) for pavement rehabilitation improvement projects. Senate Bill 1 (SB 1) created the Road Maintenance and Rehabilitation Account (RMRA) to address deferred roadway improvements throughout the State. Funds made available through the RMRA Program can be used as matching funds for State or Federal grant programs or the completion of a variety of road and safety improvement projects. As such, the Department of Public Works is proposing to augment the City's current SB 1 Project List and allocate all available FY2024 RMRA funds towards the completion of the North Barranca Avenue Rehabilitation Project (from northerly City limit to East Cypress Street) and the East Cienega Avenue Rehabilitation Project (from North Grand Avenue to North Barranca Avenue).

DISCUSSION:

The Road Repair and Accountability Act of 2017 (SB 1) provides additional funding to cities for basic road maintenance, rehabilitation, and critical safety needs on highways and local streets. Program funds are allocated to the Road Maintenance and Rehabilitation Account (RMRA), and it is estimated that the program will produce approximately \$1.50 billion statewide in FY2024 of which the City will receive its annual distribution via a formula pursuant to Streets and Highways Code Section 2032. Under the current formula, the City is estimated to receive approximately \$1,268,519 in FY 2024 and currently maintains a fund balance of \$262,159 in unspent RMRA funds received in prior fiscal years.

The SB 1 Program began distributing related revenue to Covina since November 2017, and pertinent funds can be utilized for the following improvements:

- Road Maintenance and Rehabilitation
- Safety Projects
- Railroad Grade Separations
- Traffic Control Devices
- Complete Street Components, including active transportation projects, pedestrian and bicycle safety projects, transit facilities, and drainage and storm water capture projects in conjunction with any other allowable project

Pursuant to SB 1 Program guidelines, the City must annually adopt an SB 1 Local Streets and Roads Funding Program Project List, via Resolution, to appropriate funds and subsequently, drawdown funds from the State. Following adoption of the resolution, the City is able to expand the project list to include new eligible projects.

The City's current SB 1 Project List was approved by the City Council on May 3, 2022, and included the following project:

- East Rowland Avenue Rehabilitation Project

As proposed for FY2024, the new North Barranca Avenue Rehabilitation Project (from northerly City limit to East Cypress Street) and the East Cienega Avenue Rehabilitation Project (from North Grand Avenue to North Barranca Avenue), will both entail the removal and replacement of deteriorated pavement, sidewalks, curbs/gutters, installation of Americans with Disabilities Act-compliant pedestrian improvements, median improvements, and signage/stripping improvements. An estimated \$1,268,519 in RMRA funds will be allocated to the North Barranca Avenue estimated total project cost of \$1.36 million, including contingencies and construction management. The North Barranca Avenue Street Rehabilitation Project will be completed within 90 calendar days and the estimated useful life of the project is approximately 15 years. An estimated \$262,159 in unspent RMRA funds received in prior fiscal years will be allocated to the East Cienega Avenue estimated total project cost of \$700,000. The East Cienega Avenue Street Rehabilitation Project will be completed within 90 calendar days and the estimated useful life of the project is approximately 15 years.

The anticipated implementation schedule for the North Barranca Avenue Rehabilitation Project and the East Cienega Rehabilitation Project is as follows:

- Project Design: April 2023 – June 2023
- Award of Construction Project: July 2023
- Start of Construction: August 2023
- Completion of Construction: December 2023

A key requirement of SB 1 is that proposed projects submitted to the California Transportation Commission (CTC) must be adopted by the governing board at a regular public meeting. The list of projects must include a description and location of the project, a proposed schedule for the project's completion, and the estimated useful life of the improvements. This action will fulfill this requirement and as proposed, staff will submit an updated project list to the CTC no later than July 1, 2023.

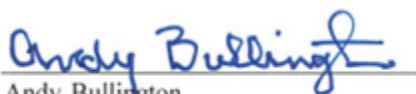
FISCAL IMPACT:

There is no fiscal impact to the City associated with approval of Resolution CC 2023-34 (Attachment A). An appropriation in FY24 RMRA funds for the North Barranca Avenue Rehabilitation Project and an appropriation from available RMRA funds received in prior fiscal years for the East Cienega Avenue Rehabilitation Project will be included in the Fiscal Year 2024 Capital Improvement Program and the Fiscal Year 2024 Capital Improvement Program Budget.

CEQA (CALIFORNIA ENVIRONMENTAL QUALITY ACT):

This project has been determined to be categorically exempt under CEQA in accordance with Title 14, Chapter 3, Class 1, Sections 15301 and 15302. This exemption includes the minor alteration of existing public facilities involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The project involves negligible or no expansion of an existing use.

Respectfully submitted,



Andy Bullington
Director of Public Works

RESOLUTION CC 2023-34

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA ADOPTING THE FISCAL YEAR 2023-2024 LOCAL STREETS AND ROADS FUNDING PROGRAM PROJECT LIST, FUNDED BY SB 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017

WHEREAS, Senate Bill 1 (SB 1), the Road Repair and Accountability Act of 2017 (Chapter 5, Statutes of 2017), was passed by the Legislature and signed into law by the Governor in April 2017 in order to address the significant multi-modal transportation funding shortfalls statewide; and

WHEREAS, SB 1 includes accountability and transparency provisions that will ensure the residents of the City of Covina are aware of the projects proposed for funding in our community and which projects have been completed each fiscal year; and

WHEREAS, the City of Covina must adopt an annual list of projects proposed to receive funding from the Road Maintenance and Rehabilitation Account (RMRA), created by SB 1 by resolution, which must include a description and the location of each proposed project, a proposed schedule for the project's completion, and the estimated useful life of the improvement; and

WHEREAS, the City of Covina is scheduled to receive an estimated \$1,268,519 in Fiscal Year 2023-2024 (FY 2024) from SB 1 and currently maintains a funds balance of \$262,159 in available RMRA funds received in prior fiscal years; and

WHEREAS, this is the seventh year in which the City is receiving SB 1 funding and will enable the City to continue essential road maintenance and rehabilitation projects, safety improvements, repairing and replacing aging bridges, and increasing access and mobility options for the traveling public that would not have otherwise been possible without SB 1; and

WHEREAS, the City used a Pavement Management System to develop the SB 1 project list to ensure revenues are being used on the most high-priority and cost-effective projects; and

WHEREAS, the funding from SB 1 will help the City of Covina rehabilitate 1.5 miles of North Barranca Avenue, from northerly City limit to East Cypress Street, and East Cienega Avenue, from North Grand Avenue to North Barranca Avenue, and to provide for hundreds of similar projects in the future; and

WHEREAS, the 2020 California Statewide Local Streets and Roads Needs Assessment found that the City of Covina's streets and roads are in a "good" condition, and this revenue will help to increase the overall quality of our road system; and

WHEREAS, the Fiscal Year 2023-2024 SB 1 project list and overall investment in our local streets and roads infrastructure with a focus on basic maintenance and safety, investing in

complete streets infrastructure, and using cutting-edge technology, materials, and practices, will have significant positive co-benefits statewide.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The foregoing recitals are true and correct.

SECTION 2. The following proposed projects will be funded in-part or solely with Fiscal Year 2023-24 Road Maintenance and Rehabilitation Account revenues:

Project Name:	North Barranca Avenue Rehabilitation Project
Description:	Existing pavement on North Barranca Avenue is in poor condition at a point of deterioration. The overlay project will improve the pavement surface and extend the overall life of the pavement. Estimated total project cost is approximately \$1.36 million, including contingencies and construction management. The project will be completed within 90 calendar days.
Location:	North Barranca Avenue, from northerly City limit to East Cypress Street
Estimated Project Schedule:	Start (August 2023) – Completion (December 2023)
Estimated Useful Life:	15 years

Project Name:	East Cienega Avenue Rehabilitation Project
Description:	Existing pavement on East Cienega Avenue is in poor condition at a point of deterioration. The overlay project will improve the pavement surface and extend the overall life of the pavement. Estimated total project cost is approximately \$700,000, including contingencies and construction management. The project will be completed within 90 calendar days.
Location:	East Cienega Avenue, from North Grand Avenue to North Barranca Avenue
Estimated Project Schedule:	Start (August 2023) – Completion (December 2023)
Estimated Useful Life:	15 years

SECTION 3. The City Clerk shall certify to the passage and adoption of this resolution and shall enter the same in the Book of Original Resolutions.

APPROVED and **PASSED** this 2nd day of May, 2023.

City of Covina, California

BY: _____
WALTER ALLEN, III, Mayor

ATTEST:

FABIAN VELEZ, Deputy City Clerk

CERTIFICATION

I, Fabian Velez, Deputy City Clerk of the City of Covina, do hereby certify that Resolution CC 2023-34 was duly adopted by the City Council of the City of Covina at a regular meeting held on the 2nd day of May, 2023, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:

Dated:

FABIAN VELEZ, Deputy City Clerk



CC Regular Meeting AGENDA ITEM REPORT

Meeting: May 2, 2023
Title: Adopt Joint Tax Sharing Resolution Approving and Accepting Negotiated Exchange of Property Tax Revenues Resulting from Annexation of Specific Property Located at 547 S. Rancho del Monico into Los Angeles County Sanitation District No. 22
Presented by: Andy Bullington, Director of Public Works
Rafael M. Fajardo, City Engineer
Recommendation: Adopt the joint tax sharing resolution, City Council Resolution CC 2023-33 approving and accepting the negotiated exchange of property tax revenues resulting from the annexation of a specific property located at 547 S. Rancho del Monico into Los Angeles County Sanitation District No. 22.

EXECUTIVE SUMMARY/BACKGROUND:

In March of 2022, the property owner residing at 547 S. Rancho del Monico paid the City's required sewer Connection Fees, Los Angeles County Sanitation District Annexation Fees, and obtained a building permit to connect the existing residence to the sewer mainline and abandon the on-site private sewer system.

DISCUSSION:

In order for the sewage disposal from the new residence at 547 S. Rancho del Monico to be treated by the Los Angeles County Sanitation District, the property must first be annexed into Sanitation District No. 22 (Annexation No. 441). The annexation process requires that a resolution for property tax revenue exchange be adopted by the City of Covina before Los Angeles County can approve the annexation. The law requires that the City approve, by resolution, the amount of the annual tax increment to be transferred to the special district to pay for the additional services for the property.

FISCAL IMPACT:

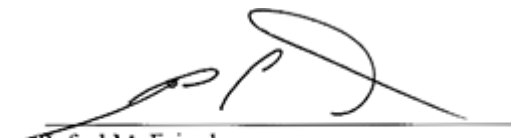
The sharing of the property tax increment with the Sanitation District, as a result of the annexation, will not result in a loss of tax revenues that the City currently receives from the property. The City will only lose a portion of the additional revenues it would receive based on an increase in assessed valuation upon completion of the development.

CEQA (CALIFORNIA ENVIRONMENTAL QUALITY ACT):

It has been determined that the proposed project qualified for a Categorical Exemption from environmental review under Section 15303, Class 3(a) of the California Environmental Quality Act (CEQA) Guidelines.

Respectfully submitted,


Andy Bullington
Director of Public Works


Rafael M. Fajardo
City Engineer

RESOLUTION CC 2023-33

JOINT RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES ACTING IN BEHALF OF

Los Angeles County General Fund

Los Angeles County Consolidated Fire Protection District

Los Angeles County Flood Control

THE BOARD OF DIRECTORS OF COUNTY SANITATION DISTRICT NO. 22 OF LOS ANGELES COUNTY, AND THE GOVERNING BODIES OF

City of Covina

Three Valleys Municipal Water District

APPROVING AND ACCEPTING NEGOTIATED EXCHANGE OF PROPERTY TAX REVENUES RESULTING FROM ANNEXATION TO COUNTY SANITATION DISTRICT NO. 22.

"ANNEXATION NO. 441 "

WHEREAS, pursuant to Section 99 and 99.01 of the Revenue and Taxation Code, prior to the effective date of any jurisdictional change which will result in a special district providing a new service, the governing bodies of all local agencies that receive an apportionment of the property tax from the area must determine the amount of property tax revenues from the annual tax increment to be exchanged between the affected agencies and approve and accept the negotiated exchange of property tax revenues by resolution; and

WHEREAS, the governing bodies of the agencies signatory hereto have made determinations of the amount of property tax revenues from the annual tax increments to be exchanged as a result of the annexation to County Sanitation District No. 22 entitled *Annexation No. 441*;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The negotiated exchange of property tax revenues resulting from the annexation of territory to County Sanitation District No. 22 in the annexation entitled *Annexation No. 441* is approved and accepted.

2. For each fiscal year commencing on and after July 1 , 2022 or after the effective date of this jurisdictional change, whichever is later, the County Auditor shall transfer to County Sanitation District No. 22 a total of 0.4504329 percent of the annual tax increment attributable to the land area encompassed within *Annexation No. 441* as shown on the attached Worksheet.

3. No additional transfer of property tax revenues shall be made from any other tax agencies to County Sanitation District No. 22 as a result of annexation entitled *Annexation No. 441*.

ATTACHMENT A

4. No transfer of property tax increments from properties within a community redevelopment project, which are legally committed to a Community Redevelopment Agency, shall be made during the period that such tax increment is legally committed for repayment of the redevelopment project costs.

5. If at any time after the effective date of this resolution, the calculations used herein to determine initial property tax transfers or the data used to perform those calculations are found to be incorrect thus producing an improper or inaccurate property tax transfer, the property tax transfer shall be recalculated and the corrected transfer shall be implemented for the next fiscal year.

The foregoing resolution was adopted by the Board of Supervisors of the County of Los Angeles, the Board of Directors of County Sanitation District No. 22 of Los Angeles County, and the governing bodies of City of Covina and Three Valleys Municipal Water District, signatory hereto.

CITY OF COVINA

SIGNATURE

Walter Allen, III, Mayor
PRINT NAME AND TITLE

ATTEST:

Deputy City Clerk

Date

(SIGNED IN COUNTERPART)

ANNEXATION TO: CO.SANITATION DIST.NO 22 DEBT S.
 ACCOUNT NUMBER: 066.85
 TRA: 02718
 EFFECTIVE DATE: 07/01/2022
 ANNEXATION NUMBER: 441
 PROJECT NAME: A-22-441
 DISTRICT SHARE: 0.009242042

ACCOUNT #	TAXING AGENCY	CURRENT TAX SHARE	PERCENT	PROPOSED DIST SHARE	ALLOCATED SHARE	ADJUSTMENTS	NET SHARE
001.05	LOS ANGELES COUNTY GENERAL	0.317867872	31.7876 %	0.009242042	0.002937757	-0.003006277	0.314861595
001.20	L.A. COUNTY ACCUM CAP OUTLAY	0.000114229	0.0114 %	0.009242042	0.000001055	0.000000000	0.000114229
007.30	CONSOL. FIRE PRO.DIST.OF L.A.CO.	0.000000000	0.0000 %	0.009242042	0.000000000	0.000000000	0.000000000
007.31	L A C FIRE-FFW	0.007299884	0.7299 %	0.009242042	0.000067465	0.000000000	0.007299884
030.10	L.A.CO.FL.CON.DR.IMP.DIST.MAINT.	0.001740027	0.1740 %	0.009242042	0.000016081	-0.000016081	0.001723946
030.70	LA CO FLOOD CONTROL MAINT	0.009846259	0.9846 %	0.009242042	0.000090999	-0.000090999	0.009755260
136.01	CITY-COVINA TD #1	0.146208555	14.6208 %	0.009242042	0.001351265	-0.001351265	0.144857290
365.05	THREE VALLEY MWD ORIG AREA	0.004296448	0.4296 %	0.009242042	0.000039707	-0.000039707	0.004256741
400.00	EDUCATIONAL REV AUGMENTATION FD	0.069122953	6.9122 %	0.009242042	0.000638837	EXEMPT	0.069122953
400.01	EDUCATIONAL AUG FD IMPOUND	0.171005879	17.1005 %	0.009242042	0.001580443	EXEMPT	0.171005879
400.15	COUNTY SCHOOL SERVICES	0.001417019	0.1417 %	0.009242042	0.000013096	EXEMPT	0.001417019
400.21	CHILDREN'S INSTIL TUITION FUND	0.002812350	0.2812 %	0.009242042	0.000025991	EXEMPT	0.002812350
809.04	MT.SAN ANTONIO COMMUNITY COLLEGE	0.030349519	3.0349 %	0.009242042	0.000280491	EXEMPT	0.030349519
809.20	MT SAN ANTONIO CHILDRENS CTR FD	0.000292802	0.0292 %	0.009242042	0.000002706	EXEMPT	0.000292802
840.03	CHARTER OAK UNIF SCHOOL DIST	0.227707790	22.7707 %	0.009242042	0.002104484	EXEMPT	0.227707790
840.06	CO.SCH.SERV.FD.- CHARTER OAK	0.008927945	0.8927 %	0.009242042	0.000082512	EXEMPT	0.008927945
840.07	DEV.CTR.HDCPD.MINOR-CHARTER OAK	0.000990469	0.0990 %	0.009242042	0.000009153	EXEMPT	0.000990469

***066.85 CO.SANITATION DIST.NO 22 DEBT S. 0.000000000 0.009242042 0.000000000 0.000000000 0.004504329

ANNEXATION NUMBER: 441 PROJECT NAME: A-22-441 TRA: 02718

ACCOUNT #	TAXING AGENCY	CURRENT TAX SHARE	PERCENT	PROPOSED DIST SHARE	ALLOCATED SHARE	ADJUSTMENTS	NET SHARE
TOTAL:		1.0000000000	100.0000 %		0.009242042	--0.004504329	1.0000000000



CC Regular Meeting AGENDA ITEM REPORT

Meeting: May 2, 2023
Title: Adoption of Ordinance 23-03
Presented by: Brian K. Lee, AICP, Director of Community Development
Recommendation: That the City Council adopt Ordinance 23-03, entitled “An Ordinance of the City Council of the City of Covina, California, Approving Planned Community Development Modification (PCDM) 22-01 as Modified and Amending the Covina Townhomes Planned Community Development (PCD) 77-002 District Overlay Zone by Modifying Condition of Approval No. 4 and Adding Numbers 12 and 13 Under Section 3 of Ordinance No. 1374, and Making a Finding of Exemption Under the California Environmental Quality Act (CEQA) Guidelines”.

EXECUTIVE SUMMARY:

Ordinance 23-03 (Attachment A) was approved at introduction by a 5-0 vote of the City Council at the April 18, 2023, City Council Meeting.

DISCUSSION:

It is recommended that City Council adopt on second reading Ordinance 23-03, entitled “An Ordinance of the City Council of the City of Covina, California, Approving Planned Community Development Modification (PCDM) 22-01 as Modified and Amending the Covina Townhomes Planned Community Development (PCD) 77-002 District Overlay Zone by Modifying Condition of Approval No. 4 and Adding Numbers 12 and 13 Under Section 3 of Ordinance No. 1374, and Making a Finding of Exemption Under the California Environmental Quality Act (CEQA) Guidelines”.

FISCAL IMPACT:

There is no fiscal impact for a second reading and adoption of an ordinance.

CEQA (CALIFORNIA ENVIRONMENTAL QUALITY ACT):

Not applicable.

Respectfully submitted,



Brian K. Lee
Director of Community Development

ORDINANCE 23-03

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA, APPROVING PLANNED COMMUNITY DEVELOPMENT MODIFICATION (PCDM) 22-01 AS MODIFIED AND AMENDING THE COVINA TOWNHOMES PLANNED COMMUNITY DEVELOPMENT (PCD) 77-002 DISTRICT OVERLAY ZONE BY MODIFYING CONDITION OF APPROVAL NO. 4 AND ADDING NUMBERS 12 AND 13 UNDER SECTION 3 OF ORDINANCE NO. 1374, AND MAKING A FINDING OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES

WHEREAS, Stephanie Callahan, the Applicant, on behalf of the Covina Townhome Owners Association (HOA), filed Planned Community Development Modification application, PCDM 22-01, a request to modify Planned Community Development (PCD) 77-002 (Ordinance. 1374) Section 3, Conditions of Approval, number 4, to approve the following modifications:

- a) The installation of a 6-foot tall wrought iron fence with a pedestrian gate, approximately 36'-4" feet in length, for "emergency access" only to East Nubia Street, providing a Knox-box for only emergency responders.
- b) Installation of a new security gate to the front of the property (Citrus Ave) with the proposed modifications to their open space to accommodate the proposed vehicular turnaround; and,
- c) Modify their outdoor recreation area (common open space) to include two new basketball posts to their existing tennis court, to serve as both a tennis and basketball court; and

WHEREAS, On December 5, 1977, the City Council approved Ordinance No. 1374 establishing a Planned Community Development (PCD) 77-002 District Overlay Zone; and

WHEREAS, Covina Municipal Code (CMC) Chapter 17.58 governs Planning Community Developments and provides that applications for PCDs may be determined pursuant to the procedure set forth in CMC 17.80.090 through 17.80.150; and

WHEREAS, CMC Section 17.80.090 provides that the owner of property proposed for a PCD amendment or the authorized representative of the owner may initiate proceedings by filing a petition with the City's Planning Department on forms provided; and

WHEREAS, CMC Section 17.80.110 provides that the City's Planning Department shall investigate the facts bearing on the proposed PCD amendment to provide information necessary to assure action consistent with the intent of this title and the general plan; and

WHEREAS, CMC Section 17.80.120 provides that after the PCD amendment application is deemed complete, the City's Community Development Director shall give notice of a hearing in accordance with Section 17.80.120; and

WHEREAS, CMC Sections 17.80.130.A. and B. provide that the Planning Commission

shall hold a public hearing on the date and at the time and place specified in the notice, announce its decision within 30 days after the conclusion of the public hearing, recommend either approval or disapproval of the proposed PCD amendment, and set forth findings in support of the recommendation; and

WHEREAS, CMC Sections 17.80.130.B. and C. provide that the Planning Commission's decision shall not enlarge the area of the proposed PCD amendment in any way and must immediately be filed with the City Council and a copy thereof mailed to the petitioner at the address shown on the petition; and

WHEREAS, Government Code Section 65855 requires that at the hearing, the Planning Commission render its decision in the form of a written recommendation to the City Council, including the reasons for the recommendation and the relationship of the proposed PCD amendment to the City of Covina General Plan, and transmit the recommendation to the City Council in such form and manner as specified by the City Council; and

WHEREAS, the Planning Commission conducted a public hearing on December 13, 2022, continued until February 14, 2023, and then continued again until February 28, 2023, to consider the proposed Planned Community Development Modification (PCDM) and any comments received prior to or at the public hearing either in support or in opposition to proposed PCDM. Following consideration of the entire record of information received at the public hearing and due consideration of the proposed PCDM, the Planning Commission adopted Resolution 2022-024 PC, recommending that the City Council approve PCDM 22-01 and adopt draft Ordinance CC 23-XXX amending the Covina Townhomes Planned Community Development (PCD) 77-002 and making a finding of exemption under the California Environmental Quality Act; and

WHEREAS, CMC Section 17.80.140 provides that the hearing date of the City Council public hearing shall be set by the City Clerk for not more than 60 days after the filing of the Planning Commission's resolution with the City Council; and

WHEREAS, CMC Section 17.80.150 provides that the City Council shall hold a public hearing on the date and at the time and place specified in the notice and may either adopt, by ordinance, the PCD amendment recommended by the Planning Commission after holding at least one public hearing thereon or modify the PCD amendment recommended by the Planning Commission, provided the proposed modification is been referred back to the Planning Commission for a report, pursuant to Sections 17.80.150.C. and D.; and

WHEREAS, on April 18, 2023, the City Council of the City of Covina held a duly noticed public hearing as prescribed by law to consider the proposed Planned Community Development Modification (PCDM) and any comments received prior to or at the public hearing, at which time staff presented its report, and interested persons had an opportunity to and did testify either in support or in opposition to proposed Planned Community Development Modification (PCDM). Following consideration of the entire record of information received at the public hearing and due consideration of the proposed Planned Community Development Modification (PCDM), the City Council closed the public hearing on that same date; and

WHEREAS, all legal prerequisites prior to adoption of this Ordinance have occurred.

**THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA, DOES
HEREBY ORDAIN AS FOLLOWS:**

SECTION 1. The foregoing recitals are true and correct and are incorporated herein and made an operative part of this Ordinance.

SECTION 2. California Environmental Quality Act Findings. The City Council hereby makes the following environmental findings and determinations in connection with the approval of the proposed Planned Community Development Modification (PCDM) 22-001: The Project has been environmentally reviewed pursuant to the provisions of CEQA and the State CEQA Guidelines. The City Council, based on its own independent judgement, has determined that the Project is categorically exempt from the detailed review-related requirements of the California Environmental Quality Act (CEQA). This determination was made based on Section 15301 Class 1 of the CEQA Guidelines, as the Project consists of the operation, repair, maintenance, permitting, or minor alterations of existing private structures on the subject property, and Section 15303 Class 3 of the CEQA Guidelines, as the Project consists of construction of limited numbers of small accessory structures including fences. The overall project proposed consists of adding/repairing a wrought iron fence at the rear access from East Nubia Street, and the installation of new security gates at the main entrance off Citrus Avenue. Furthermore, there is no possibility that the activity in question may have a significant effect on the environment and the Project is not subject to CEQA pursuant to Guidelines Section 15061(b)(3). Therefore, the Planning Commission finds that the project will not have a significant effect on the environment and is exempt from CEQA.

SECTION 3. Findings for Approval of Planned Community Development Amendment (PCDA). Based on the evidence in the record, the City Council of the City of Covina find that the proposed PCDM 22-01 is in compliance with State law and is consistent with General Plan Objective E (1)(y) which states: “Utilize the Zoning Ordinance’s Planned Community Development (PCD) process (which allows for development standard modification if certain conditions are met) as a vehicle for getting attractive, functional, compatible, and innovative projects, thus facilitating residential and nonresidential development and General Plan implementation.”

1. That the site for the proposed use is adequate in size and shape to accommodate the use;

Facts: The proposed construction of the front security gate and the new 6-foot tall wrought iron fence off Nubia Street is contained within the existing property of Covina Townhomes. No additional square footage is being proposed. It complies with the Covina Municipal Code, Covina General Plan, and Covina Design Guidelines. Covina Townhomes is proposing to construct a front security gate and the new black wrought iron fence with no alteration to the building height, appearance, and setback. The building footprint will not be altered. The project design conforms to the general plan, the design guidelines, transportation demand management regulations, and any specific plans or guidelines which may be applicable to the project. The project design is harmonious, consistent, and complete within itself and functionally and visually compatible with neighboring structures and the area in which it is located. The development will constitute an adequate environment for

the intended use by sustaining the desirability and stability of the neighborhood and community. *Therefore, this criterion has been met.*

2. **That the site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use;**

Facts: The construction of a new security gate and rear access gate, for emergency access only, complies with all the applicable regulations as described in the staff report and with the approved PCD 77-002. The proposed security gate and preservation of the rear gate access (off Nubia Street) for emergency access only, will result in vehicle calming measures as vehicles enter and exit the townhome condominium complex from Citrus Avenue. Ingress and egress will remain off Citrus Avenue and no increase in traffic will occur onto Nubia Street, with the exception of emergency responders. The existing street width and pavement type to carry the quantity of traffic generated will not change the already existing traffic demand from the townhome development. The facility will protect and maintain the visual aesthetic of the community, which then complies with the General Plan Land Use Objective 1, Section 2. Residential (6) “Ensure that the overall amount, locations, and timing of development reflect community desires and needs as well as physical and environmental constraints and will not inhibit the City’s ability to meet street capacities and to provide other infrastructure, utilities, and adequate community services.” *Therefore, this criterion has been met.*

3. **That the proposed use is not detrimental to the surrounding properties or uses permitted in the general area;**

Facts: The proposed new gates will be confined in conformance with development standards consistent with the character, appearance, and features of the Covina Townhome Development. The proposed security gate and preservation of the rear gate access (off Nubia Street) for emergency access only, will result in vehicle calming measures as vehicles enter and exit the townhome condominium complex from Citrus Avenue. Ingress and egress will remain off Citrus Avenue and no increase in traffic will occur onto Nubia Street, with the exception of emergency responders, thereby facilitating the desired sustainability and stability adequate for its environment, the neighborhood, and the community it will serve. *Therefore, this criterion has been met.*

4. **That the conditions stated in the decision are deemed necessary to protect the health, safety and general welfare;**

Facts: The project design is harmonious, consistent, and complete within itself and functionally and visually compatible with neighboring structures and the area in which it is located. The development will constitute an adequate environment for the intended use by sustaining the desirability and stability of the neighborhood and community. The construction of a new security gate and rear access gate, for emergency access only, complies with all the applicable regulations as described in the staff report and with the approved PCD 77-002. The proposed security gate and

preservation of the rear gate access (off Nubia Street) for emergency access only, will result in vehicle calming measures as vehicles enter and exit the townhome condominium complex from Citrus Avenue. Ingress and egress will remain off Citrus Avenue and no increase in traffic will occur onto Nubia Street, with the exception of emergency responders. The proposed new gates will be confined in conformance with development standards consistent with the character, appearance, and features, thereby facilitating the desired sustainability and stability adequate for its environment, the neighborhood, and the community it will serve. *Therefore, this criterion has been met.*

SECTION 4. The City Council hereby approves (PCDM) 22-001, as set forth in Sections 5, 6, and 7 of this Ordinance, subject to the Conditions of Approval attached hereto as Exhibit “A” and incorporated herein by this reference.

SECTION 5. Condition of Approval No. 4, in Section 4 of Ordinance No. 1374, establishing the Planned Community Development (PCD) District Overlay Zone for Covina Townhomes, is hereby amended to read as follows, with next text indicated with an underline:

“4. That a continuous concrete block wall, 6 feet above adjacent single-family residential property finished grade, be provided. A 6-foot tall wrought iron gate, approximately 36’-4” linear feet for “emergency access only” shall be installed on East Nubia Street, providing a Knox-box for only emergency responders. The gate shall include a pedestrian gate for Covina Town Home residents to access East Nubia Street. The gate shall be properly maintained at all times.”

SECTION 6. Subsections 12 and 13 are hereby added to Section 3 of Ordinance No. 1374, adding new conditions of approval to Covina Townhomes Planned Community Development (PCD) District Overlay Zone, to read as follows:

- “12. Install a new security gate along the front main entrance of the property (North Citrus Avenue) per stamped city approved plans, to accommodate the proposed vehicular turnaround.”
- “13. Modify their outdoor recreation area (common open space) to include two new basketball posts to their existing tennis court, to serve as both a tennis and basketball court.”

SECTION 7. All other provisions of Ordinance No. 1374 not amended as set forth in Sections 5 and 6 of this Ordinance shall remain in full force and effect.

SECTION 8. Severability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unenforceable by a court of competent jurisdiction, the remaining portions of this Ordinance shall nonetheless remain in full force and effect. The City Council hereby declares that it would have adopted each section, subsection, sentence, clause, phrase, or portion of this Ordinance, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions of this Ordinance be declared invalid or unenforceable.

SECTION 9. Savings Clause. Neither the adoption of this Ordinance nor the repeal or amendment by this Ordinance of any ordinance or part or portion of any ordinance previously in effect in the City or within the territory comprising the City, shall in any manner affect the prosecution for the violation of any ordinance, which violation was committed prior to the effective date of this Ordinance, nor be construed as a waiver of any license, fee or penalty or the penal provisions applicable to any violation of such ordinances.

SECTION 10. Effective Date. This Ordinance shall become effective within thirty (30) days after its adoption.

SECTION 11. Certification. The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause this Ordinance to be published within 15 days after its passage, in accordance with Section 36933 of the Government Code.

PASSED, APPROVED and APPROVED this 2nd day of May, 2023.

City Council of Covina, California

BY: _____
WALTER ALLEN, III, Mayor

ATTEST:

FABIAN VELEZ, Deputy City Clerk

APPROVED AS TO FORM:

CANDICE K. LEE, City Attorney

CERTIFICATION

I, Fabian Velez, Deputy City Clerk of the City of Covina, do hereby certify that Ordinance 23-03 was introduced for first reading at a regular meeting on the 18th day of April, 2023. Thereafter, said Ordinance was duly approved and adopted at a regular meeting of said City Council on the 2nd day of May, 2023, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

Dated:

FABIAN VELEZ, Deputy City Clerk



CC Regular Meeting AGENDA ITEM REPORT

Meeting:	May 2, 2023
Title:	Adopt Ordinance 23-02 and Making a Determination of Exemption from the California Environmental Quality Act
Presented by:	Brian K. Lee, AICP, Director of Community Development
Recommendation:	Adopt Ordinance 23-02 entitled, "An Ordinance of the City Council of the City of Covina, California, to establish regulations to implement two-unit residential developments and urban lot splits in single family zones as required by Senate Bill 9 (2021-2022), by approving Zoning Code Amendment (ZCA) 23-01 to amend Title 17 (Zoning) by modifying definition section 17.04.143, single-family residential zones sections 17.08.020 (A-1), 17.10.020 (A-2), 17.12.020 (E-½), 17.14.020 (E-1), 17.20.020 (R-1-20,000), 17.22.020 (R-1-10,000), 17.24.020 (R-1-8,500) and 17.26.020 (R-1-7500) for permitted uses, and adding a new section 17.33.060 for permitted uses; and approving Municipal Code Amendment to amend Title 16 (Subdivision) by modifying Chapter 16.02, 16.04, 16.14, and adding new section 16.06, and making a determination of exemption from the California Environmental Quality Act".

EXECUTIVE SUMMARY:

Ordinance 23-02 (Attachment A) was approved at introduction by a 5-0 vote of the City Council at the April 18, 2023, City Council Meeting.

DISCUSSION:

It is recommended that City Council adopt on second reading Ordinance 23-02 entitled, "An Ordinance of the City Council of the City of Covina, California, to establish regulations to implement two-unit residential developments and urban lot splits in single family zones as required by Senate Bill 9 (2021-2022), by approving Zoning Code Amendment (ZCA) 23-01 to amend Title 17 (Zoning) by modifying definition section 17.04.143, single-family residential zones sections 17.08.020 (A-1), 17.10.020 (A-2), 17.12.020 (E-½), 17.14.020 (E-1), 17.20.020 (R-1-20,000), 17.22.020 (R-1-10,000), 17.24.020 (R-1-8,500) and 17.26.020 (R-1-7500) for permitted uses, and adding a new section 17.33.060 for permitted uses; and approving Municipal Code Amendment to amend Title 16 (Subdivision) by modifying Chapter 16.02, 16.04, 16.14, and adding new section 16.06, and making a determination of exemption from the California Environmental Quality Act".

FISCAL IMPACT:

There is no fiscal impact for a second reading and adoption of an ordinance.

CEQA (CALIFORNIA ENVIRONMENTAL QUALITY ACT):

Not applicable.

Respectfully submitted,



Brian K. Lee
Director of Community Development

ORDINANCE 23-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA, TO ESTABLISH REGULATIONS TO IMPLEMENT TWO-UNIT RESIDENTIAL DEVELOPMENTS AND URBAN LOT SPLITS IN SINGLE FAMILY ZONES AS REQUIRED BY SENATE BILL 9 (2021-2022), BY APPROVING ZONING CODE AMENDMENT (ZCA) 23-01 TO AMEND TITLE 17 (ZONING) BY MODIFYING DEFINITION SECTION 17.04.143, SINGLE FAMILY RESIDENTIAL ZONES SECTIONS 17.08.020 (A-1), 17.10.020 (A-2), 17.12.020 (E-1/2), 17.14.020 (E-1), 17.20.020 (R-1-20,000), 17.22.020 (R-1-10,000), 17.24.020 (R-1-8,500) AND 17.26.020 (R-1-7500) FOR PERMITTED USES, AND ADDING A NEW SECTION 17.33.060; AND APPROVING MUNICIPAL CODE AMENDMENT TO AMEND TITLE 16 (SUBDIVISION), BY MODIFYING CHAPTERS 16.02, 16.04, 16.14, AND ADDING NEW SECTION FOR CHAPTER 16.06, AND MAKING A DETERMINATION OF EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

WHEREAS, in 2021, the California Legislature approved and the Governor signed into law Senate Bill 9 ("SB 9"), which among other things, added Sections 65852.21 and 66411.7 to the Government Code, enacting new limits on local authority to regulate urban lot splits and two-unit projects on land otherwise zoned for single-family development; and

WHEREAS, SB 9 allows local agencies to adopt the objective design, development, and subdivision standards for two-unit residential developments and urban lot splits; and

WHEREAS, the City desires to amend its local regulatory scheme to comply with Government Code Sections 65852.21 and 66411.7 and to regulate projects governed by SB 9 appropriately; and

WHEREAS, Government Code Section 65854 requires the Planning Commission to hold a duly noticed public hearing on a proposed amendment to a zoning ordinance; and

WHEREAS, Government Code Section 65855 requires the Planning Commission to provide a written recommendation to the City Council regarding an amendment to a zoning ordinance; and

WHEREAS, Covina Municipal Code Section 17.80.050 further provides that any recommendation by the Planning Commission for an amendment shall require an affirmative vote of not less than two-thirds of the total voting members after at least one public hearing and must be filed with the City Council, together with a report of findings, hearings, and other supporting data, within thirty (30) days after the conclusion of the public hearing; and

WHEREAS, on March 14, 2023, the Planning Commission conducted a duly noticed public hearing and considered the proposed Zoning Code Amendment (ZCA) 23-01 and Municipal Code Amendment for Title 16. After receiving oral and written evidence, and public input, the Planning Commission concluded the hearing on that date, and by a 5-0-0 vote, adopted Resolution

No. 2023-003 PC recommending to the City Council the approval of the Zoning Code Amendment (ZCA) 23-01 and Municipal Code Amendment for Title 16; and

WHEREAS, Government Code Section 65856 and Covina Municipal Code Section 17.80.080 require the City Council to hold a duly noticed public hearing regarding an amendment to a zoning ordinance; and

WHEREAS, on April 18, 2023, the City Council of the City of Covina held a duly noticed public hearing as prescribed by law to consider the proposed Zoning Code Amendment (ZCA) 23-01 and Municipal Code Amendment for Title 16, and any comments received prior to or at the public hearing, at which time staff presented its report, and interested persons had an opportunity to and did testify either in support or in opposition to proposed Zoning Code Amendment (ZCA) 23-01 and Municipal Code Amendment for Title 16. Following consideration of the entire record of information received at the public hearing and due consideration of the proposed Zoning Code Amendment (ZCA) 23-01 and Municipal Code Amendment for Title 16, the City Council closed the public hearing on that same date; and

WHEREAS, all legal prerequisites prior to adoption of this Ordinance have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Recitals. The facts outlined in the recitals above are true and correct and incorporated into this Ordinance as substantive findings of the City Council.

SECTION 2. CEQA. Under California Government Code Sections 65852.21, subdivision (j), and 66411.7, subdivision (n), the adoption of an ordinance by a city implementing the provisions of Government Code Sections 65852.21 and 66411.7 and regulating two-unit residential developments and urban lot splits is statutorily exempt from the requirements of the California Environmental Quality Act ("CEQA"). Therefore, this Ordinance is statutorily exempt from CEQA in that the Ordinance implements Government Code Sections 65852.21 and 66411.7. In addition to being statutorily exempt from CEQA, this Ordinance is also categorically exempt from CEQA under Class 3 as outlined in State CEQA Guidelines section 15303. The Class 3 exemption categorically exempts the construction and location of new, small structures and the conversion of existing small structures from one use to another. This Ordinance is categorically exempt under the Class 3 exemption because the Ordinance regulates the construction of two primary dwelling units or, if there is already a primary dwelling unit on the lot, the development of a second primary dwelling unit in a residential zone. Further, this Ordinance is not subject to CEQA under the general rule in CEQA Guidelines Section 15061(b)(3) that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Any development that would be contemplated under this Ordinance must be treated ministerially, and any such projects would be exempt from the environmental review requirements. For the reasons stated above, it can be seen with certainty that there is no possibility that this Ordinance will have a significant effect on the environment.

SECTION 3. Zoning Code Amendment Approval. The City Council does hereby approve Zoning Code Amendment (ZCA) 23-01 and amends Title 17 (Zoning) by modifying the definition of chief planning official, the permitted uses for single family residential zones and adding new

development regulations pertaining to two-unit residential developments and urban lot splits as set forth in Sections 4 through 13.

SECTION 4. Section 17.04.143 (Chief planning official) of Chapter 17.04 (Definitions and Standards) of the Covina Municipal Code is hereby amended to read as follows:

“Chief planning official” means the director of community development or his designee, who is responsible for the administration and supervision of the planning division of the community development department for the city of Covina. References in this title to director, planning director, city planner or planning official shall be deemed to refer to the chief planning official.”

SECTION 5. Section 17.08.020 (Permitted Uses) of Chapter 17.08 (A-1 Agricultural and Residential Zone (Single-Family)) of the Covina Municipal Code is hereby amended to add a new subsection “K” to read as follows, with all other provisions of Section 17.08.020 remaining unchanged:

“K. Two-Unit Development and Urban Lot Splits. The provisions of CMC 17.33.060 and CMC 16.02 and CMC 16.06 shall apply.”

SECTION 6. Section 17.10.020 (Permitted Uses) of Chapter 17.10 (A-2 Agricultural and Residential Zone (Single-Family)) of the Covina Municipal Code is hereby amended to add a new subsection “C” to read as follows, with all other provisions of Section 17.10.020 remaining unchanged:

“C. Two-Unit Development and Urban Lot Splits. The provisions of CMC 17.33.060 and CMC 16.02 and CMC 16.06 shall apply.”

SECTION 7. Section 17.12.020 (Permitted Uses) of Chapter 17.12 (E-½ Estate Residential Zone (Single-Family Estate)) of the Covina Municipal Code is hereby amended to add a new subsection “J” to read as follows, with all other provisions of Section 17.12.020 remaining unchanged:

“J. Two-Unit Development and Urban Lot Splits. The provisions of CMC 17.33.060 and CMC 16.02 and CMC 16.06 shall apply.”

SECTION 8. Section 17.14.020 (Permitted Uses) of Chapter 17.14 (E-1 Estate Residential Zone (Single-Family Estate)) of the Covina Municipal Code is hereby amended to add a new subsection “H” to read as follows, with all other provisions of Section 17.14.020 remaining unchanged:

“H. Two-Unit Development and Urban Lot Splits. The provisions of CMC 17.33.060 and CMC 16.02 and CMC 16.06 shall apply.”

SECTION 9. Section 17.20.020 (Permitted Uses) of Chapter 17.20 (R-1-20,000 Residential Zone (Single-Family)) of the Covina Municipal Code is hereby amended to add a new subsection “H” to read as follows, with all other provisions of Section 17.20.020 remaining unchanged:

“H. Two-Unit Development and Urban Lot Splits. The provisions of CMC 17.33.060 and CMC 16.02 and CMC 16.06 shall apply.”

SECTION 10. Section 17.22.020 (Permitted Uses) of Chapter 17.22 (R-1-10,000 Residential Zone (Single-Family)) of the Covina Municipal Code is hereby amended to add a new subsection “H” to read as follows, with all other provisions of Section 17.22.020 remaining unchanged:

“H. Two-Unit Development and Urban Lot Splits. The provisions of CMC 17.33.060 and CMC 16.02 and CMC 16.06 shall apply.”

SECTION 11. Section 17.24.020 (Permitted Uses) of Chapter 17.24 (R-1-8500 Residential Zone (Single-Family)) of the Covina Municipal Code is hereby amended to add a new subsection “H” to read as follows, with all other provisions of Section 17.24.020 remaining unchanged:

“H. Two-Unit Development and Urban Lot Splits. The provisions of CMC 17.33.060 and CMC 16.02 and CMC 16.06 shall apply.”

SECTION 12. Section 17.26.020 (Permitted Uses) of Chapter 17.26 (R-1-7500 Residential Zone (Single-Family)) of the Covina Municipal Code is hereby amended to add a new subsection “H” to read as follows, with all other provisions of Section 17.26.020 remaining unchanged:

“H. Two-Unit Development and Urban Lot Splits. The provisions of CMC 17.33.060 and CMC 16.02 and CMC 16.06 shall apply.”

SECTION 13. Section 17.33.060 (Two-Unit Developments and Urban Lot Splits) is hereby added to Chapter 17.33 (Special Housing Regulations) of the Covina Municipal Code to read as set forth below:

“17.33.060 Two-Unit Residential Developments and Urban Lot Splits in Single-Family Residential Zones.

A. Purpose, Applicability, Definitions, Interpretation.

1. Purpose. The purpose is to comply with California Government Code Sections 65852.21 and 66411.7, and appropriately regulate qualifying SB 9 two-unit residential developments and urban lot splits within single-family residential zones.
2. Applicability. The standards and limitations outlined in CMC Section 17.33.060 shall apply to SB 9 two-unit residential developments and urban lot splits within a single-family residential zone in the City, notwithstanding any other conflicting provisions of the Covina Municipal Code (“CMC”). In case of conflicts between the provisions of CMC Section 17.33.060, and any other provisions of the CMC, the provisions of CMC Section 17.33.060 shall prevail. If SB 9 or those sections of the Government Code are ever repealed or deemed to be unconstitutional or no longer in effect, this section shall be automatically repealed.

3. Definitions. The following terms shall have the following meanings:

- a. ADU and JADU shall have the meanings ascribed to these terms in CMC chapter 17.69 (Accessory Dwelling Units).
- b. “New primary dwelling unit” shall mean creating a new, additional dwelling unit or expanding an existing dwelling unit. ADU or a JADU does not constitute a new primary dwelling unit.
- c. “Single-family residential zone” includes the A-1, A-2, E-1, E-1/2, E-21/2, R-1-20,000, R-1-10,000, R-1-8500, and R-1-7500 zoning districts.
- d. “SB 9” means Senate Bill No. 9, Statutes of 2021, Chapter 162, (2021). The bill amended Government Code Section 66452.6 and added Government Code Sections 65852.21 and 66411.7.
- e. “SB 9 two-unit residential development” shall mean a housing development containing no more than two primary residential units within a single-family residential zone that qualifies for ministerial review according to California Government Code Section 65852.21. A housing development contains two residential units if the development proposes no more than two new units or if it proposes to add one new unit to one existing primary unit.
- f. “Urban lot split” shall mean a parcel map subdivision permitted according to the regulations outlined in Government Code Section 66411 that creates no more than two parcels of approximately equal size.
- g. “Lot area” shall mean the total area measured horizontally within the lot lines and shall not have a slope steeper than four to one (4 feet horizontal to 1 foot vertical).

4. Interpretation. The provisions of this section shall be interpreted to be consistent with the provisions of California Government Code Sections 65852.21 and 66411.7 and shall be applied in a manner consistent with state law. The City shall not apply any requirement or development standard provided for in this section to the extent prohibited by any provision of state law.

B. Permit Application and Review Procedures.

1. Application. An applicant for an SB 9 two-unit residential development or an urban lot split shall submit an application on a form prepared by the City, along with all information and materials prescribed by such form. No application shall be accepted unless it is completed as prescribed and is accompanied by payment for all applicable fees.

2. Review. Consistent with state law, the chief planning official will consider and approve or disapprove a complete application for an SB 9 two-unit residential

development, or an urban lot split ministerially, without discretionary review or public hearing.

3. Nonconforming Conditions.

- a. An SB 9 two-unit residential development may only be approved if all non-conforming zoning conditions are corrected.
- b. The correction of legal non-conforming zoning conditions is not a condition for ministerial approval of a parcel map for an urban lot split.

4. Effectiveness of Approval. The ministerial approval of an SB 9 two-unit residential development or a parcel map for an urban lot split does not take effect until all required documents have been recorded and submitted to the City.

5. Hold Harmless. Approval of an SB 9 two-unit residential development or a parcel map for an urban lot split shall be conditioned on the applicant agreeing to defend, indemnify and hold harmless the City, its officers, agents, employees, and consultants from all claims and damages (including attorney's fees) related to the approval and its subject matter.

6. Denial Based on Specific, Adverse Impacts. Notwithstanding anything else in this section, the Building Official may deny an application for an SB 9 two-unit residential development or a parcel map for an urban lot split if the Building Official makes both of the following written findings, based on a preponderance of the evidence, that: 1) the project would have a specific, adverse impact, as defined and determined in paragraph (2) of subdivision (d) of California Government Code Section 65589.5, upon either public health and safety or on the physical environment and 2) there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact.

C. Qualifying Requirements.

A proposed urban lot split or SB 9 two-unit residential development must meet all of the following requirements to qualify for a ministerial review according to the provisions of this section. The applicant shall be responsible to demonstrate to the reasonable satisfaction of the chief planning official that each of these requirements is satisfied. The applicant and each property owner shall provide a sworn statement, in a form approved by the chief planning official, attesting to all facts necessary to establish that each requirement is met.

1. The subject property shall be located within a single-family residential zone.
2. The proposed development shall not be located on any site identified in subparagraphs (B) to (K), inclusive of paragraph (6) of subdivision (a) of California Government Code Section 65913.4, unless the development satisfies the requirements specified therein. Such sites include, but are not limited to, prime farmland, wetlands, high or very high fire hazard severity zones, special flood hazard areas, regulatory floodways, and lands identified for conservation or habitat preservation as specifically defined in Government Code Section 65913.4.

3. The proposed development shall not be located within a historic district or on the property included on the State Historic Resources Inventory, as defined in Section 5020.1 of the California Public Resources Code, or within a site that is designated or listed as a city landmark or historic property pursuant to a city ordinance.
4. The proposed development shall not require the demolition or alteration of housing that is subject to a recorded covenant, Ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income.
5. The proposed development shall not require the demolition or alteration of housing that is subject to any form of rent or price control.
6. The proposed development shall not involve the demolition of more than 25 percent of the exterior walls of an existing dwelling.
7. The proposed development shall not require the demolition or alteration of housing that has been occupied by a tenant within the last three (3) years.
8. In the case of an urban lot split, the lot proposed to be subdivided shall not have been established through a prior urban lot split.
9. In the case of an urban lot split, the lot proposed to be subdivided (“subject lot”) is not adjacent to any lot that was established through an urban lot split by the owner of the subject lot or by any person acting in concert with the owner of the subject lot.
10. No unpermitted construction or illegal non-conforming zoning conditions shall exist on the property.
11. Except where superseded by this Section, development shall comply with the objective standards of the zone in which the lot is located.

D. Number of Dwelling Units Permitted on a Lot.

1. Notwithstanding any other provisions of the CMC, state law requires the City to permit a lot located within a single-family residential zone to contain up to two primary dwelling units. The two units must be developed and maintained to comply with the requirements outlined in this section.
2. No more than two dwelling units of any kind may be constructed or maintained on a lot that results from an urban lot split. For purposes of this subdivision, the two-unit limitation applies to any combination of primary dwelling units, ADUs, and JADUs. Examples are as follows:
 - a. one primary dwelling unit and one ADU (detached or attached); or
 - b. one primary dwelling unit and one JADU; or
 - c. two dwelling units.

The combination of two dwellings units plus one ADU and one JADU are not permitted on a lot that results from an urban lot split.

E. Separate Conveyance.

1. Primary dwelling units located on the same lot may not be owned or conveyed separately from one another. All fee interest in a lot and all dwellings must be held equally and undivided by all individual owners of the lot.
2. Condominium airspace divisions and common interest developments are not permitted on a lot created through an urban lot split or containing an SB 9 two-unit residential development.

F. Residential Use Only.

Non-residential use is not permitted on any lot created through an urban lot split or containing an SB 9 two-unit residential development.

G. No Short-Term Rentals Permitted.

The rental of any dwelling unit on a lot created through an urban lot split or containing an SB 9 two-unit residential development shall be for a term longer than 30 consecutive days.

H. Housing Crisis Act Replacement Housing Obligations.

If the proposed development results in the demolition of protected housing, as defined in California Government Code Section 66300, the applicant shall replace each demolished protected unit and comply with all applicable requirements imposed according to subsection (d) of Government Code Section 66300.

I. Development and Objective Design Standards.

A qualifying SB 9 two-unit residential development and any development on a lot created through an urban lot split shall be subject to the development and design standards outlined in this section. In addition, except as modified or provided by this section or state law, an SB 9 two-unit residential development and any development on a lot created through an urban lot split shall conform to all objective development standards applicable to the lot as outlined in this section and all applicable objective standards and criteria contained in standard plans and specifications, policies, and standard conditions duly promulgated and adopted by the City, and the Los Angeles County Fire Department.

1. Development Standards.

Unit Size		
Minimum for each dwelling	800 SF (Square Feet)	A legally established primary dwelling less than 800 SF may expand to up to 1,000 SF
Maximum for each dwelling	1,000 SF (Square Feet)	A legally established primary dwelling more than 1,000 SF shall not be expanded

Building Height (maximum)	16 feet	Height measured from the ground level to the highest point of the roof
Building Separation	6 feet	Between all detached structures: residential units, garages, accessory structures; and, comply with building codes
Front Yard Landscape Coverage (Maximum)	50%	Exclude the allowed standard driveway (12 feet wide) in the front yard

2. Setbacks.

- a. The following are minimum setbacks from the property lines for each new primary dwelling unit and new detached garage and accessory structures:

Minimum Setbacks (feet)	Front	Rear	Interior Side	Street Side	Reverse Corner side
New primary dwelling unit	25	4	4	12.5	15
New detached garage and accessory structures	25	4	4	12.5	15

- b. Any construction occurring on a lot that abuts a street that has not been fully improved shall observe all building setbacks from the ultimate right-of-way of the street.
- c. Exceptions. The above minimum setback requirements do not apply or shall be modified in the following circumstances:
- No increased setback is required for an existing structure or for a new primary dwelling unit that is constructed in the same location and to the same dimensions as an existing structure.
 - A required minimum setback may be reduced pursuant to subsection if it would physically preclude the development or maintenance of two dwelling units on a lot, or physically preclude any new primary dwelling unit from being 800 square feet in floor area, but must comply with building codes.
 - Permitted projections into required yards. The following architectural features may project into any required setback a maximum of 2 feet: cornices, eaves, belt courses, sills, buttresses, planter boxes, masonry planters, guard railings, chimneys, and similar architectural projections with no floor area, including, but not limited to, windows and pilasters. Architectural projections must comply with distance separation from building walls or property lines as required by building codes.

3. Open Space. Each new primary dwelling unit shall provide, at a minimum, a continuous private open space of 200 square feet. The private open space area shall be

open and unobstructed from the ground to the sky. The private open space may be located within the interior side or rear setback areas.

4. Landscaping. All setback areas, and all areas not designated for walkways, parking, drive aisles, and private recreation areas, shall be fully landscaped and irrigated. Each development shall comply with the CMC Chapter 17.82, Water Efficient Landscape Regulations.

5. Perimeter Block Walls. Each development shall provide a perimeter wall with a maximum height of 6 feet, as measured from the finished grade next to the wall, including any retaining wall portion and up to the top of the wall. Perimeter block walls shall comply with the following requirements:

- a. All perimeter walls shall comply with the requirements as contained in CMC Section 17.26.170 through 17.26.210 (Walls, Fences, and Hedges).
- b. The property owner shall work with the adjoining property owners to design and construct the perimeter block walls to avoid double walls. If the property owner cannot obtain approval from the adjoining property owners, the property owner shall construct the new wall with a decorative cap to be placed between the new and the existing wall.
- c. Perimeter and privacy walls shall be decorative with stucco finish, slump stone or split-face block, or a combination of said materials.
- d. Perimeter walls within the 25 feet front yard setback area shall not exceed 3 feet in height from the finished surface.

6. Off-Street Parking.

- a. Required Parking. Provide one off-street parking space for each new primary dwelling unit unless one of the following applies:
 - i. The lot is located within one-half mile walking distance of either (i) a high-quality transit corridor as defined in subdivision (b) of Section 21155 of the California Public Resources Code, including Covina Metrolink Station, or (ii) a major transit stop as defined in Section 21064.3 of the California Public Resources Code, including Foothill Transit Center.
 - ii. The lot is located within one block of a car-share vehicle location.
- b. Off-street parking spaces for an existing primary dwelling shall continue to be provided in accordance with the standards for the underlying zone.
- c. Required parking for new primary dwelling units may be provided within an enclosed garage or as open parking spaces on the lot, but not as tandem parking. Open parking spaces may be located within the side or rear setbacks.
- d. All required parking spaces shall be 9 feet in width and 19 feet in depth, unobstructed.

- e. Each enclosed garage shall maintain the minimum interior parking dimensions of 9 feet width by 19 feet depth, unobstructed. No storage cabinets or mechanical equipment, including, but not limited to water heaters, utility sinks, washers and dryers, solar power battery pack, or similar equipment, shall encroach into the required parking area.

7. Unit Design Standards.

- a. If the lot contains an existing primary dwelling that was legally established prior to the filing of a complete application for a two-unit development or an urban lot split, any new additional primary dwelling unit must match the existing primary dwelling unit in exterior materials, color, and dominant roof pitch. The dominant roof slope is the slope shared by the dominant feature of the roof.
- b. If two new primary dwelling units are to be developed on the lot, the dwellings must match each other in exterior materials, color, and dominant roof pitch. The dominant roof slope is the slope shared by the largest portion of the roof.
- c. Each new primary dwelling unit shall have the main entry clearly defined, and to the extent possible, shall orient directly toward the street(s) to provide consistency with the neighborhood. Provide a covered entry to the dwelling unit with a minimum depth of 3 feet. Each covered entry shall be proportionate to the building and incorporate architectural features consistent with the overall building design.

8. Laundry Facilities. Each new primary dwelling unit shall have a laundry space located within the unit or within a garage accessible from the unit that is equipped with washer and dryer hook-ups. If the laundry facilities are located within an enclosed garage, the laundry equipment shall not encroach into the interior garage parking area.

9. Water Heaters. Each new primary dwelling unit shall have a separate hot water facility. No exterior water heater enclosures shall be permitted.

10. Mechanical Equipment, Metering Devices. Roof-mounted mechanical equipment is not permitted. All ground-mounted equipment and above-ground utility meters, including, but not limited to, heating, cooling, or ventilating equipment, water meters, gas meters, and irrigation equipment, shall be shown on the site plan and, to the extent possible, be placed outside the required front setback area. If mechanical equipment or metering devices are located between a structure and the property line, provide an unobstructed three-foot-wide path.

11. Access and Circulation.

- a. Provide adequate on-site vehicular access, circulation, back-up, and turn-around areas that comply with applicable city standards.

- b. The minimum street frontage for a flag lot is 20 feet. If the lot depth of the new parcel in the rear (flag lot) is more than 150 feet, the minimum street frontage must be 25 feet.
- c. Driveways shall maintain a minimum width of 20 feet unless a wider width is required for emergency access.
- d. Adequate access to each residential unit on the lot for fire and emergency medical service personnel and vehicles must be provided. The Los Angeles County Fire Department must confirm that all applicable fire and emergency access requirements are met before the City will approve an application.

12. Refuse Storage Areas. All developments shall provide each unit with the appropriate number of containers for recyclables, organics, and non-recyclable solid waste ("trash containers") and shall be stored within designated storage areas only.

13. Utilities.

- a. Each primary dwelling unit on a lot must have its direct utility connection to the utility/public service provider. However, all new utilities must be undergrounded.
- b. The property owner/applicant must obtain all necessary and required easements for providing electricity, gas, water, sewer, and other utility or public service to the lot before issuing any permits for any dwelling unit, in compliance with CMC Sections 17.33.060J, 17.33.060K and 17.33.060L.
- c. Submitted plans shall show the location and dimension of all proposed above-ground and underground utility and public service facilities serving the lot and each dwelling unit and the location and dimensions of all related easements.

14. Building and Safety. All structures built on the lot must comply with current local building standards.

15. Grading. Grading, filling, excavating and construction activities must comply with health and safety requirements of California Building and Grading Standards. The maximum encroachment into any four to one (4:1) or greater slopes shall not exceed a distance of 6 feet.

16. Drainage and Stormwater Management. Each lot will drain to the street or an approved storm drain facility. The design of parkway culverts and storm drain lateral pipe connections to city-maintained storm drains within the city right-of-way shall comply with applicable city standards. SB 9 two-unit residential developments and the development on lots created through an urban lot split are subject to CMC Chapter 8.50 ("Storm Water Quality and Urban Runoff Control"). They must comply with all applicable, related rules, requirements, and standards, including, but not limited to, the preparation and implementation of a water quality management plan that meets applicable requirements.

17. Exceptions to Objective Standards.

- a. The chief planning official shall approve an exception to any of the standards specified in this section or any applicable objective zoning, subdivision, or design standards upon determining that complying with the standard would physically preclude the construction of up to two residential units or would physically preclude either of the two residential units from being 800 square feet in floor area to the extent necessary to allow the development of two primary residential units (800 square feet each) on a lot according to this section. The City prioritizes some objective development standards over others, as provided in the priority below. In applying the exceptions required by this section, a proposed project shall be designed such that a development standard given a lower priority is modified or waived before a development standard given a higher priority. If a proposed project can be designed such that each lot can accommodate two (2) 800 square feet primary dwelling units by modifying or waiving a development standard with a lower priority, then an application that proposes a design requiring the modification or waiver of a development standard with a higher priority will be denied. The City prioritizes the following standards in the following descending order of priority, with the first development standard listed having the highest priority:
 - i. Lot width
 - ii. Building height
 - iii. Front setback
 - iv. Maximum front setback coverage (50%)
 - v. Open space (200 square feet)
 - vi. Lot coverage (50%)
- b. The following standards and requirements of this section will not be waived or modified:
 - i. Building Code requirements;
 - ii. Federal requirements; and
 - iii. Other standards imposed by state law, including but not limited to SB 9.
- c. As part of its application, the applicant shall provide a written explanation that (a) specifically describes every development standard the applicant seeks to modify and waive, and to what extent, (b) demonstrates why waiver or modification of each development standard is needed to prevent physically precluding the construction of up to two primary residential units on the lot and/or each new unit from being at least 800 square feet in floor area, and (c) demonstrates that the requested modifications and/or waivers are consistent with the priority set forth in this subsection.

J. Additional Requirements for Urban Lot Splits

1. Approval. An application for a parcel map for an urban lot split is approved or denied ministerially, by the chief planning official, without discretionary review.

2. An urban lot split must conform to all applicable objective requirements of the Subdivision Map Act, including implementing provisions in the CMC, except as otherwise provided in this section. Notwithstanding the foregoing, no dedication of rights-of-way or construction of offsite improvements is required solely for an urban lot split.

3. Lot Size and Lot Area. The parcel map for an urban lot split must subdivide an existing lot to create no more than two new lots of approximately equal lot area, provided that one lot shall not be smaller than 40 percent of the lot area of the original lot proposed for subdivision. Both newly created lots must each be no smaller than 1,200 square feet. Lot area must comply with the definition outlined in the definition section and contained in CMC Section 17.04.360.

4. Easements.

a. The owner must enter into an easement agreement with each utility/public-service provider to establish easements that are sufficient for the provision of public services and facilities to each of the lots resulting from the urban lot split (“resulting lots”).

b. Each easement must be shown on the tentative parcel map and the final parcel map.

c. Copies of the unrecorded easement agreements must be submitted with the application. The easement agreements must be recorded against the property before the final parcel is approved and recorded with the Office of County Recorder.

5. Lot Access.

a. Each resulting lot must adjoin the public right-of-way.

b. Each resulting lot must have frontage on the public right-of-way of at least 20 feet. If the resulting lot has a lot depth of more than 150 feet, the street frontage shall increase to 25 feet.

6. Improvements Required. Each resulting lot must be developed in accordance with improvement plans processed concurrently with the parcel map application and approved by the City, showing the location and dimensions of all structures, drive aisles, parking areas, pedestrian pathways, and other improvements proposed to be constructed or to remain on each lot. Approval of a parcel map for an urban lot split shall be subject to the City's approval of such related improvement plans and all related entitlements or other approvals required by this Code. Any proposed development on one of the lots that is inconsistent with or not shown on the improvement plans

approved concurrently with the urban lot split shall be subject to review and approval by the City in accordance with the applicable requirements of this Code.

7. Required Affidavit. Except as provided in Government Code Section 66411.7 for community land trusts and qualified nonprofit corporations, the applicant for a parcel map for an urban lot split must sign an affidavit provided by the City stating that the applicant intends to occupy one of the dwelling units on one of the resulting lots as the applicant's principal residence for a minimum of three years after the final parcel map for the urban lot split is approved.

K. Compliance with Emergency Access and Service Requirements.

Development of a lot pursuant to this section must conform and comply with all applicable provisions of the fire code and applicable requirements promulgated by the Los Angeles County Fire Department intended to ensure sufficient emergency access is provided or maintained. Prior to submitting a complete application for an SB 9 two-unit residential development or an urban lot split, the applicant shall obtain and provide City with written confirmation from the Los Angeles County Fire Department that the proposed development complies with all such requirements.

L. Deed Restriction.

Prior to approval of a parcel map for an urban lot split or the issuance of a building permit, whichever comes first, for the development of an SB 9 two-unit residential development, the owner(s) of record of the property shall provide the chief planning official a copy of a covenant agreement, declaration of restrictions, or similar deed restriction ("deed restriction") recorded against the property, which is in a form prepared by and acceptable to the chief planning official, and that does each of the following:

1. Rental Terms. Expressly requires that the rental of any dwelling unit on the property shall be for a term longer than 30 consecutive days.
2. Expressly prohibits any non-residential use of the lot.
3. Expressly prohibits primary dwelling units located on the same lot from being owned or conveyed separately from one another.
4. Expressly requires all fee interest in each lot and all dwellings to be held equally and undivided by all individual owners of the lot.
5. Expressly prohibits condominium airspace divisions and common interest developments on the property.
6. States that the property was formed and developed according to the provisions of this SB 9 and this section and is therefore subject to the city regulations outlined in this section, including all applicable limits on dwelling size and development.
7. Expressly prohibits more than two dwelling units of any kind from being constructed or maintained on a lot that results from an urban lot split.

8. Expressly prohibits any subsequent urban lot split for lots that were previously created by an urban lot split under SB 9.

9. States (i) that the deed restriction is for the benefit of and is enforceable by the City, (ii) that the deed restriction shall run with the land and shall bind future owners, their heirs, and successors and assigns, (iii) that lack of compliance with the deed restriction shall be good cause for legal action against the owner(s) of the property; (iv) that, if the City is required to bring legal action to enforce the deed restriction, then the City shall be entitled to its attorneys' fees and court costs; and (v) that the deed restriction may not be modified or terminated without the prior written consent of the chief planning official.

M. Fees.

Development of lots pursuant to this section shall be subject to all applicable fees, including development impact fees, and assessments, duly adopted by the City.

N. Objective Standard Conditions.

The chief planning official is authorized to promulgate objective standard conditions implementing this section, which are consistent with applicable provisions of CMC and state law, that shall apply to the application and development of two-unit developments and urban lot splits, and to publish such standard conditions on the City's internet website. Applicants must comply with all objective standard conditions duly promulgated by the chief planning official and published on the City's internet website.

O. Expiration of Approval.

The approval of an SB 9 two-unit residential development shall become null and void if construction is not commenced within two years of the approval and diligently advanced until completion of the project. In the event construction of the project is commenced, but not diligently advanced until completion, the rights granted pursuant to the approval shall expire if the building permits for the project expire.”

SECTION 14. Municipal Code Amendment Approval for Title 16 Subdivision. The City Council does hereby approve Municipal Code Amendment and amend Title 16 (Subdivision) Chapters 16.02, 16.04, 16.06 and 16.14 pertaining to Urban Lot Splits as set forth in Sections 15 to 19.

SECTION 15. Table: 1-1 of Section 16.02.050 (Review and approval authority of advisory agencies) of Chapter 16.02 (General Provisions) of the Covina Municipal Code is hereby amended to remove the “simple parcel map” row and read as follows:

“Table 1-1 – Review and Approval Authority

Type of Action	Review Authority	Approval Authority
Tentative maps:	Planning commission	City council

a. Tentative parcel map (4 or less lots/parcels; all others)		
b. Tentative tract map (5 or more lots/parcels; all others)		
Vesting tentative maps	Planning commission	City Council
Correction/amendment of maps	City staff and other responsible agencies	Chief planning official or city engineer
Tentative map extensions	City staff and other responsible agencies	Planning commission
Final maps or parcel maps	City staff and other responsible agencies	City council
Urban lot split	City staff and other responsible agencies	Chief planning official or city engineer
Certificate of compliance	City staff and other responsible agencies	City engineer
Reversion to acreage	City staff and other responsible agencies	Planning commission
Lot and parcel mergers	City staff and other responsible agencies	City engineer
Lot line adjustments	City staff and other responsible agencies	Chief planning official or city engineer

SECTION 16. Section 16.04.020 (Special Definitions) of Chapter 16.04 (Definitions) of the Covina Municipal Code is hereby amended to revise subsection “BB” to read as follows, with all other provisions of Section 16.04.020 remaining unchanged:

“BB. “Tentative map” shall mean a map for a proposed subdivision prepared in accordance with the provisions of the Subdivision Map Act for the purpose of showing the design of the proposed subdivision and the existing conditions in and around it. A tentative map need not be based upon an accurate or detailed field survey.”

SECTION 17. Section 16.06.010 (Subdivisions of four or less lots – Parcel map) of Chapter 16.06 (Map Requirements) of the Covina Municipal Code is hereby amended read as follows:

“16.06.010 Subdivisions of four or less lots – Parcel map.

Except where exempted by CMC 16.02.040, a tentative parcel map and parcel map shall be required for all divisions of land into four or less parcels or lots, or four or less condominium units or stock cooperative units, a community apartment project containing four or less parcels or lots or for the conversion of a dwelling to a stock cooperative containing four or less dwelling units.”

SECTION 18. Section 16.06.025 (Urban Lot Splits (SB 9)) is hereby added to Chapter 16.06 (Map Requirements) of the Covina Municipal Code to read as follows:

“16.06.025 Urban Lot Splits (SB 9).

The provisions of this section apply to the processing of parcel maps for urban lot splits pursuant to California Government Code Section 66411.7 and CMC Section 17.33.060.

A. Notwithstanding the Subdivision Map Act or any other provision of CMC Chapter 16 (Subdivisions), an application for a parcel map for an urban lot split is approved or denied ministerially, by the chief planning official, without discretionary review. A tentative parcel map for an urban lot split is approved ministerially if it complies with the requirements of CMC 17.33.060 and applicable objective requirements of CMC Chapter 16 (Subdivisions) and the Subdivision Map Act. A final parcel map is approved ministerially as well, but not until the owner demonstrates that the required documents have been recorded, such as the deed restrictions and easements, and the applicant has signed an affidavit stating that the applicant intends to occupy one of the housing units as their principal residence for a minimum of three years from the date of the approval of the urban lot split. A final parcel map must be recorded with the county recorder.

B. A proposed urban lot split may only be denied if the building official makes a written finding that the proposed housing development project would have a specific, adverse impact upon public health and safety or the physical environment and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.

C. The chief planning official or city engineer has the authority to interpret and establish guidelines and procedures for the processing, approving, and finalizing parcel maps for urban lot splits, consistent with state and local law.”

SECTION 19. Section 16.14.070 (Administrative approval of certain simple parcel maps) of Chapter 16.14 (Final Maps and Parcel Maps) of the Covina Municipal Code is hereby removed, with all other provisions of Chapter 16.14 remaining unchanged.

SECTION 20. This Ordinance shall take effect 30 days after its adoption. The City Clerk is directed to certify to the enactment of this Ordinance and to cause this ordinance to be published and/or posted as required by law..

SECTION 21. If any section, clause, phrase, word, or portion of this Ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each other section, clause, phrase, word or portion thereof, irrespective of the fact that anyone or more sections, subsections, subdivisions, sentences, clauses, phrases, words or portions thereof be declared invalid or unconstitutional.

PASSED, APPROVED and ADOPTED this 2nd day of May, 2023.

City of Covina, California

BY: _____
WALTER ALLEN, III, Mayor

ATTEST:

FABIAN VELEZ, Deputy City Clerk

APPROVED AS TO FORM:

CANDICE K. LEE, City Attorney

CERTIFICATION

I, Fabian Velez, Deputy City Clerk of the City of Covina, do hereby certify that Ordinance 23-02 was introduced for first reading at a regular meeting on the 18th day of April, 2023. Thereafter, said Ordinance was duly approved and adopted at a regular meeting of said City Council on the 2nd day of May, 2023, by the following vote:

AYES:	COUNCIL MEMBERS:
NOES:	COUNCIL MEMBERS:
ABSTAIN:	COUNCIL MEMBERS:
ABSENT:	COUNCIL MEMBERS:

Dated:

FABIAN VELEZ, Deputy City Clerk



CC Regular Meeting AGENDA ITEM REPORT

Meeting: May 2, 2023
Title: Amendment No. 2 to Professional Services Agreement between the City of Covina and Liebert Cassidy Whitmore for Legal Services
Presented by: David Povero, Chief of Police
Recommendation: Approve Amendment No. 2 to the agreement between Liebert Cassidy Whitmore and the City of Covina for legal services and authorize the City Manager to execute the amendment.

EXECUTIVE SUMMARY:

On July 1, 2021, the City of Covina entered into a four (4) year agreement with Liebert Cassidy Whitmore which will expire on June 30, 2025 with the option of two additional one (1) year extensions. On November 1, 2022, Amendment number one was approved by the City Council to increase the "not-to-exceed" compensation to \$75,000. This Amendment number # 2 will increase the "not-to-exceed" amount to \$100,000 and incorporate changes to the Schedule of Fees.

DISCUSSION:

Liebert Cassidy Whitmore is a professional law corporation that provides legal services to the City of Covina. More specifically, they provide services in police defense and labor relations issues that are covered under the Public Safety Officers Bill of Rights Act.

This second amendment to the Agreement with Liebert Cassidy Whitmore will increase the spending limit for legal services to \$100,000 and incorporate changes to the Schedule of fees. All other terms remain unchanged.

FISCAL IMPACT:

Funds are available in Human Resources Acct # 1010 0800 51250 Personnel.

CEQA (CALIFORNIA ENVIRONMENTAL QUALITY ACT):

Not applicable.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "David Povero", written over a horizontal line.

David Povero
Chief of Police

**AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT FOR
LEGAL SERVICES BETWEEN THE CITY OF COVINA AND LIEBERT CASSIDY
WHITMORE, LLP**

THIS AMENDMENT No. 2 (“Secong Amendment”) is dated **May 2, 2023**, and is between the City of Covina, a California municipal corporation (“City”) and **Liebert Cassisdy Whitmore LLP** (“Consultant”). City and Consultant are sometimes individually referred to as “Party” and collectively as “Parties” in this Agreement.

RECITALS

A. City and Consultant entered into that certain Professional Services Agreement dated July 1, 2021 (“Agreement”), pursuant to which Consultant provides legal services to the City’s Police Department and Human Resources Department.

B. On November 1, 2022, City and Consultant entered into the First Amendment to that certain professional service agreement to increase the “sum not to exceed” amount to Seventy Five Thousand Dollars and to amend the agreement as set forth in the First Amendment

C. City and Consultant desire to amend the Agreement to revise the compensation sum and the ‘Schedule of Rates’ attached hereto as Exhibit A.

The Parties agree as follows:

1. Paragraph A of Section 2 of the Agreement, “Compensation,” is hereby amended to read as follows:

“A. Compensation. As full compensation for Consultant’s Services provided under this Agreement, City shall pay Consultant a sum not to exceed One Hundred Thousand Dollars (\$100,000) (the “maximum compensation”), based on the hourly rates set fourth in the Approved Fee Schedule, attached hereto as **Exhibit A**.”

2. Except for the changes specifically set forth in this First Amendment, all other terms and conditions of the Agreement shall remain in full force and effect.

[SIGNATURE PAGE FOLLOWS]

The parties, through their duly authorized representatives, are signing this First Amendment on the date stated in the introductory clause.

City:

City of Covina,
a California municipal corporation

Consultant:

Liebert Cassidy Whitmore LLC.,

By: _____
Name: _____
Title: _____

By: _____
Name: _____
Title: _____

ATTEST:

By: _____
Name: _____
Title: _____

By: _____
Name: Fabian Velez
Title: Deputy City Clerk

(Two signatures of corporate officers required for corporations under Corporations Code Section 313, unless corporate documents authorize only one person to sign this Agreement on behalf of the corporation.)

APPROVED AS TO FORM:

By: _____
Name: Candice K. Lee
Title: City Attorney

Exhibit A

LIEBERT CASSIDY WHITMORE

FEE SCHEDULE

Partners	\$415.00
Senior Counsel	\$345.00
Associates	\$230.00 - \$325.00
Labor Relations/Human Resources Consultant	\$260.00
Paralegals	\$145.00
E-Discovery Specialists	\$145.00
Law Clerks	\$145.00 - \$185.00



CC Regular Meeting AGENDA ITEM REPORT

Meeting: May 2, 2023
Title: Approval of a Third Amendment to Agreement between the City of Covina and Glendora Employment Agency, Inc.
Presented by: Angel Carrillo, Deputy City Manager
Recommendation: Authorize the City Manager to execute the Third Amendment to the Professional Service Agreement with Glendora Employment Agency, Inc. to provide temporary staffing services.

EXECUTIVE SUMMARY:

In order to ensure adequate staffing for customer service, payment processing, and other departmental needs, it is necessary that the Finance Division, Public Works Departments and for the Covina Center for the Performing Arts to obtain temporary staff services.

BACKGROUND:

On January 10, 2022, the City entered into a Professional Services Agreement ("PSA") for temporary staffing services with Glendora Employment Agency, Inc. ("Consultant") in an amount not to exceed \$24,999. On April 19, 2022 the agreement was amended to increase the not to exceed amount to \$100,000. At that time Finance had two vacant Account Clerk positions and a vacant Management Analyst position. Temporary staffing was needed to continue to provide essential services to our customers while recruiting to fill the vacant positions. On December 6, 2022 a second amendment was approved increasing the not to exceed amount to \$150,000 to assist with staffing needs in Public Works. In late December the City acquired the Covina Center for the Performing Arts ("Theater") requiring an immediate need to onboard existing theater staff. This staffing need quickly exhausted the available agreement amount in the most recent amendment.

DISCUSSION:

In the time since the second amendment to the Professional Service Agreement with Glendora Employment Agency was approved the City acquired the Theater. The acquisition required hiring staff that was familiar with the operations of the Theater as well as knowledgeable of the facilities, maintenance and existing tenants. Glendora Employment Agency provided a smooth transition to allow for quick onboarding of the existing staff and to allow for time to create a permanent staffing plan. Staff is recommending amending the PSA from a "not to exceed" amount of \$150,000 to \$220,000 in order to accommodate the additional Theater staffing needs. The existing effective expiration date of June 30, 2024 would not change as a result of this amendment.

FISCAL IMPACT:

As a result of vacancies in budgeted positions, sufficient funds are available in the Water, Environmental, and General funds to cover the cost of the temporary staffing services. Additionally, funds for maintenance and expenses of the theater were appropriated at the time of acquisition and are available.

CEQA (CALIFORNIA ENVIRONMENTAL QUALITY ACT):

Not applicable.

Respectfully submitted,



Angel Carrillo
Deputy City Manager

THIRD AMENDMENT TO AGREEMENT BETWEEN THE CITY OF COVINA AND GLENORA EMPLOYMENT AGENCY, INC.

THIS THIRD AMENDMENT is made and entered into as of May 2, 2023 by and between the City of Covina, a California municipal corporation (hereinafter referred to as "City"), and Glendora Employment Agency, Inc., a California corporation (hereinafter referred to as "Consultant"). In consideration of the mutual covenants and conditions set forth herein, the parties agree as follows:

1. This **THIRD** Amendment is made with respect to the following facts and purposes:
 - a. On January 10, 2022, the City and Consultant entered into that certain Professional Services Agreement for temporary staffing services in an amount not to exceed \$24,999. The term of the Agreement was to expire January 9, 2023 unless sooner terminated as provided in Section 13 of the Agreement.
 - b. On April 19, 2022, the City and Consultant agreed to the First Amendment which increased the contract amount not to exceed \$100,000 and extended the term of the Agreement to be effective through April 18, 2023
 - c. On December 6, 2023, the City and Consultant agreed to the Second Amendment which increased the contract amount not to exceed \$150,000 and extended the term of the Agreement to be effective through June 30, 2024
2. The parties now desire to increase the contract amount not to exceed \$220,000 as set forth in this Amendment. Paragraph A of Section 2 of the Agreement entitled "COMPENSATION" is hereby amended to read as follows:

"A. Compensation. As full compensation for Consultant's hourly temporary staffing services provided under this Agreement, City shall pay Consultant a sum not to exceed Two-Hundred-Twenty-Thousand (\$220,000) (the "maximum compensation"), based on the rates set forth in the Approved Fee Schedule, attached hereto as **Exhibit A**. Any terms in Exhibit A, other than the payment rates and schedule of payment, are null and void."
3. Exhibit "A" to the Agreement is hereby amended by adding thereto the items set forth on Attachment "A" to this Amendment, which is attached hereto and incorporated herein as though set forth in full.
4. Except for the changes specifically set forth herein, all other terms and conditions of the Agreement shall remain in full force and effect.

The parties, through their duly authorized representatives, are signing this **THIRD** Amendment on the date stated in the introductory clause.

City:

City of Covina,
a California municipal corporation

By: _____

Name: Chris Marcarello
Title: City Manager

ATTEST:

By: _____

Name: Fabian Velez
Title: Deputy City Clerk

APPROVED AS TO FORM:

By: _____

Name: Candice K. Lee
Title: City Attorney

Consultant:

Glendora Employment Agency,
a California Corporation

By: _____

Name: Theresa Latasa Mumma
Title: President/CEO

By: _____

Name: Barbara Latasa
Title: Vice President

*(Two signatures of corporate officers required
for corporations under Corporations Code
Section 313, unless corporate documents
authorize only one person to sign this
Agreement on behalf of the corporation.)*

ATTACHMENT A

Displayed below and incorporated herein is Exhibit A reflecting the amended cost as provided by the Consultant.

EXHIBIT A APPROVED FEE SCHEDULE

<u>Description</u>	<u>Bill Rate</u>
Temporary Staff Placement (Reg Hours & OT Hours)	Employee's pay rate** + 57% of pay rate
Temporary Staff - Sick Pay*	Employee's pay rate + 25% of pay rate
Background Check Fee	\$55.00/each
TOTAL CONTRACT NOT TO EXCEED	\$220,000

City may hire, without incurring additional fees, assigned staff once that staff member has completed 520 hours of service on assignment to the City.

*Employee eligible for maximum 24 hours/year after 90 days of placement. Accrual calculated at the rate of 1 hour sick accrual for every 30 hours worked.

**Payrate to be mutually agreed upon by City and Consultant prior to placement/rate changes



CC Regular Meeting

AGENDA ITEM REPORT

Meeting: May 2, 2023
Title: Proposed Fiscal Year 2023-34 Capital Improvement Program Budget
Presented by: Andy Bullington, Director of Public Works
Rafael M. Fajardo, City Engineer
Recommendation: That the City Council receive/file the proposed project list and provide direction, as necessary.

EXECUTIVE SUMMARY:

Each year, the City Council considers the adoption of an annual Citywide budget for the upcoming fiscal year. The Citywide budget is comprised of an operating budget for regular, day-to-day operations and a capital improvement budget for physical improvements valued at least \$25 thousand and that have an expected life span of ten (10) years or greater. As planned, the City Council will consider adopting the City's Fiscal Year 2023-24 budget at its May 16, 2023 regular meeting.

The City's capital improvement budget is derived from its five-year Capital Improvement Program ("CIP") that is used to track projects and serve as a planning tool for the repair/replacement of public assets. As part of the annual budget development process, each City department meets with the City Manager to discuss proposed projects considered for the CIP. A finalized CIP is prepared for the City Council's consideration as part of the upcoming fiscal year budget. Once approved, the Department of Public Works serves as the centralized hub for implementing the CIP, working with each department to coordinate project delivery, meet end-user goals and oversee the management of project budgets.

The proposed Fiscal Year 2023-24 CIP budget includes twenty-seven (27) projects across five (5) categories (Roadways/Public Right-of-Way, Water/Sewer, Facilities, Transportation and Parks/Recreation) and a total estimated cost of approximately \$28.69 million that includes the following funding sources:

Funding Source	Amount	% of Total
Special Revenue Fund	\$ 4.65	16%
Enterprise Fund	\$ 5.79	20%
General Fund	\$ 1.25	4%
Grant	\$ 17.00	59%
Total	\$ 28.69	

BACKGROUND:

The City's CIP is a forecasting tool that is used by the City to assist in prioritizing public infrastructure projects. Annually, the Department of Public Works develops the CIP with City departments to identify priority infrastructure projects, available funding sources and establish project schedules for various public works.

Often, capital projects will span multiple years with planning/design work taking place in early stages and construction taking place in out years. Grant resources are also an important component of the City's CIP, as they help to leverage local monies and allow the City to undertake projects that may not otherwise be achievable. The

proposed FY 23-24 CIP budget includes \$17.00 million in grant funds, which is equal to roughly 35% of the City's annual general fund budget.

For Fiscal Year 2023-24, the proposed CIP budget includes (27) projects across five (5) categories (Roadways/Public Right-of-Way, Water/Sewer, Facilities, Transportation/Environmental and Parks/Recreation) and an estimated cost of approximately \$28.69 million. A sampling of the projects is included below:

- **Roadways/Public Right-of-Way**
 - Rehabilitation of Barranca Avenue, Cienega Avenue, Sunflower Avenue and residential streets;
 - Repair of sidewalks, alleyways and trash enclosures;
 - Implementation of traffic calming and traffic signal improvements;
 - Installation of street trees;
 - Installation of bioswales to capture stormwater
- **Water/Sewer**
 - Replacement of water/sewer mains and related infrastructure;
 - Inspection/cleaning of wastewater system
- **Facilities**
 - Renovation of Police Department Locker facilities;
 - Construction of Recreation Village Project
- **Transportation**
 - Installation of bus shelters/signage
- **Parks/Recreation**
 - Construction of a new pickleball court, walking trail/fitness stations and other improvements at Hollenbeck Park;
 - Renovation of Wingate Park to capture stormwater and renovate park spaces;
 - Renovation of existing tennis court fencing at Covina Park

It is requested that the City Council consider the proposed FY 2023-24 CIP budget and provide direction, as necessary. Following its review, the proposed CIP will be included in the City Council's review of the proposed FY 2023-24 Citywide budget on May 16, 2023.

FISCAL IMPACT:

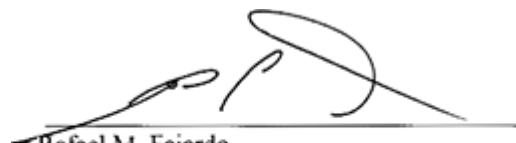
The proposed Fiscal Year 2023-24 CIP budget includes twenty-seven (27) projects and a total estimated cost of approximately \$28.69 million.

CEQA (CALIFORNIA ENVIRONMENTAL QUALITY ACT):

Not applicable.

Respectfully submitted,


Andy Bullington
Director of Public Works


Rafael M. Fajardo
City Engineer